

**From:** Ricker, Monique T. EOP/USTR Monique\_T\_Ricker@ustr.eop.gov   
**Subject:** RE: FOIA Request (USTR-18-0736)  
**Date:** March 26, 2019 at 3:06 PM  
**To:** American Oversight FOIA foia@americanoversight.org  
**Cc:** FN-USTR-FOIA FN-USTR-FOIA@ustr.eop.gov



Mr. McGrath,

This email is the final response of the Office of the United States Trade Representative (USTR) to Freedom of Information Act (FOIA) No. FY19-08 submitted on October 23, 2018 requesting communications about the imposition of tariffs between USTR political appointees and staff with email addresses ending in “@who.eop.gov.” The timeframe for the search was between January 20, 2017 and October 25, 2018, the date the search was conducted.

After a search of our files utilizing eDiscovery software, we have located 639 pages of which we are releasing in part 58 pages and withholding in full 581 pages. Because of the size of the file, you may access it here:

<https://drive.max.gov/share/bdf01d3a311fdbe9>

We reasonably foresee that disclosure would harm an interest protected by FOIA Exemptions 5 or 6. Exemption 5 protects from disclosure "inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency." The materials are exempt under the deliberative process privilege, which protects the decision-making processes of the executive branch in order to safeguard the quality and integrity of governmental decisions. The deliberative process privilege protects materials that are both pre-decisional and deliberative. The privilege covers records that reflect the give-and-take of the consultative process and in this instance includes multiple ***drafts*** of the following documents:

- Section 232 report, "The Effects of Imports of Steel on The National Security" (83 pages);
- Steel tariff decisions memos (23 pages);
- Executive Order on tariffs (15 pages);
- Section 232 report, "The Effects of Imports of Unwrought and Wrought Aluminum on National Security" (245 pages);
- Remarks about section 201 actions on residential washing machines and solar products (two pages);
- Proclamation on steel (179 pages);
- Talking points (10 pages);
- Reciprocal Trade Act legislation (11 pages); and
- Draft 232 steel proclamation on Turkey (13 pages).

These records reflect the personal opinions of the writer rather than the policy of the agency. The release of these records would have a chilling effect on the USTR's deliberative processes and expose the USTR's decision-making process in such a way as to discourage candid discussion within the agency, and thereby undermine its ability to perform its mandated functions. Exemption 5 also protects communications directly involving and documents actually viewed by the President, as well as documents solicited and received by the President or his "immediate White House advisers," *Elec. Privacy Info. Ctr. v. DOJ*, 584 F. Supp. 2d 65, 81 (D.D.C. 2008) quoting *Judicial Watch v. U.S.*

*Ind. Civ. v. DOJ*, 364 F. Supp. 2d 65, 81 (D.D.C. 2006) quoting *Judicial Watch v. U.S. Dep't of Justice*, 365 F.3d 1108, 1115-16 (D.C.Cir.2004).

We also redacted cell phone numbers and non-public email addresses pursuant to FOIA Exemption 6, which protects personal information the release of which would not shed light on the performance of the agency's statutory duties.

This constitutes a complete response to your request. You may contact me or my colleague Melissa Keppel by email at FOIA@ustr.eop.gov or 202-395-3419 for any further assistance and to discuss any aspect of your request. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

If you are not satisfied with the response to this request, you may also administratively appeal by writing to: FOIA Office, GSD/RDF; ATTN: Janice Kaye, Anacostia Naval Annex, Bldg. 410/Door 123, 250 Murray Lane, S.W., Washington, D.C. 20509.

Your appeal must be postmarked or electronically transmitted within 90 days of the date of the response to your request. Both the letter and the envelope should be clearly marked: "Freedom of Information Act Appeal" and should include a reference to the FOIA Case File number listed above. Heightened security in force may delay mail delivery; therefore we suggest that you also email any such appeal to foia@ustr.eop.gov.

In the event you are dissatisfied with the results of any such appeal, judicial review will thereafter be available to you in the United States District Court for the judicial district in which you reside or have your principal place of business, or in the District of Columbia, where we searched for the records you requested.

Thank you,  
Monique

Monique T. Ricker  
FOIA Program Manager/Attorney

EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE  
WASHINGTON DC 20508

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**From:** American Oversight FOIA <foia@americanoversight.org>  
**Sent:** Tuesday, October 23, 2018 3:30 PM  
**To:** FN-USTR-FOIA <FN-USTR-FOIA@ustr.eop.gov>  
**Subject:** [EXTERNAL] FOIA Request (USTR-18-0736)

Dear FOIA Officer:



Please find pasted below and attached a request for records under the Freedom of Information Act.

Sincerely,

Clay M. Goode  
Paralegal  
American Oversight  
[foia@americanoversight.org](mailto:foia@americanoversight.org)  
<[www.americanoversight.org](http://www.americanoversight.org)> | @weareoversight

FOIA: USTR-18-0736

October 23, 2018

**VIA ELECTRONIC MAIL**

Janice A. Kaye, FOIA Officer

Office of the U.S. Trade Representative

Anacostia Naval Annex Building 410/Door 123  
250 Murray Lane SW  
Washington, DC 20509

[FOIA@ustr.eop.gov](mailto:FOIA@ustr.eop.gov)

**Re: Freedom of Information Act Request**

Dear Freedom of Information Officer:

Pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552, and your agency's implementing regulations, American Oversight makes the following request for records.

President Trump since January 2018 has imposed a series of tariffs on various goods and countries. In late September 2018, Trump announced 10 percent tariffs on \$200 billion a

year of Chinese goods, and Chinese officials quickly responded with tariffs on \$60 billion in American goods.<sup>[1]</sup> Press reporting suggests decisions regarding tariffs are being made in a haphazard fashion without following standard procedures of coordinating across government departments and agencies.<sup>[2]</sup> In addition, sectors and trade groups are being taken by surprise by the escalatory trade tactics.<sup>[3]</sup>

American Oversight seeks the following records in an effort to shed light on the effect of the administration’s trade policies on American manufacturing and employment, and to determine the influence of industry lobbyists on administration policies.

### **Requested Records**

American Oversight requests that your agency produce the following within twenty business days:

All records reflecting communications (including emails, email attachments, and calendar entries/invitations) between agency officials in Column A and any of the individuals listed in Column B regarding the imposition of tariffs by the U.S. or other countries:

<b>Column A</b>	<b>Column B</b>
<ul style="list-style-type: none"> <li>a. Any political appointees* in the immediate Office of the Trade Representative, including: <ul style="list-style-type: none"> <li>i. United States Trade Representative, and anyone acting on his behalf</li> <li>ii. Deputy United States Trade Representatives, and anyone acting on their behalf</li> <li>iii. Counselor to the United States Trade Representative</li> <li>iv. All Chiefs of Staff and Deputy Chiefs of Staff</li> </ul> </li> <li>b. Any political appointees* in the immediate Office of Congressional Affairs, including:</li> </ul>	<ul style="list-style-type: none"> <li>b. Gary Cohn</li> <li>c. Lawrence “Larry” Kudlow</li> <li>d. Rob Porter</li> <li>e. Alexander Gray</li> <li>f. Jason Greenblatt</li> <li>g. Peter Navarro</li> <li>h. Any other individual with an email address ending in @who.eop.gov</li> </ul>

<ul style="list-style-type: none"> <li>i. Assistant United States Trade Representative for Congressional Affairs, and anyone acting on his behalf</li> <li>ii. Deputy Assistant United States Trade Representative for Congressional Affairs, and anyone acting on his behalf</li> <li>iii. Director for Congressional Affairs, and anyone acting on his behalf</li> <li>c. Any political appointees* in the immediate Office of the Chief Agriculture Negotiator, including: <ul style="list-style-type: none"> <li>i. Chief Agricultural Negotiator, and anyone acting on his behalf</li> </ul> </li> </ul>	
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\*“Political appointee” should be understood as any person who is a Presidential Appointee with Senate Confirmation (PAS), a Presidential Appointee (PA), a non-career SES, any Schedule C employees, or any persons hired under Temporary Non-Career SES Appointments, Limited Term SES Appointments, or Temporary Transitional Schedule C Appointments.

Please provide all records from January 20, 2017, through the date the search is conducted.

In addition to the records requested above, American Oversight also requests records describing the processing of this request, including records sufficient to identify search terms used and locations and custodians searched and any tracking sheets used to track the processing of this request. If your agency uses FOIA questionnaires or certifications completed by individual custodians or components to determine whether they possess responsive materials or to describe how they conducted searches, we also request any such records prepared in connection with the processing of this request.

American Oversight seeks all responsive records regardless of format, medium, or physical characteristics. In conducting your search, please understand the terms “record,” “document,” and “information” in their broadest sense, to include any written, typed, recorded, graphic, printed, or audio material of any kind. We seek records of any kind, including electronic records, audiotapes, videotapes, and photographs, as well as letters, emails, facsimiles, telephone messages, voice mail messages and transcripts, notes, or minutes of any meetings, telephone conversations or discussions. Our request includes any attachments to these records. **No category of material should be omitted from search, collection, and production.**

Please search all records regarding agency business. **You may not exclude searches of files or emails in the personal custody of your officials, such as personal email accounts. Records of official business conducted using unofficial systems or stored outside of official files is subject to the Federal Records Act and FOIA.**[\[4\]](#) **It is not adequate to rely on policies and procedures that require officials to move such information to official systems within a certain period of time; American Oversight has a right to records contained in those files even if material has not yet been moved to official systems or if officials have, through negligence or willfulness, failed to meet their obligations.**[\[5\]](#)

In addition, please note that in conducting a “reasonable search” as required by law, you must employ the most up-to-date technologies and tools available, in addition to searches by individual custodians likely to have responsive information. Recent technology may have rendered your agency’s prior FOIA practices unreasonable. **In light of the government-wide requirements to manage information electronically by the end of 2016, it is no longer reasonable to rely exclusively on custodian-driven searches.**[\[6\]](#) **Furthermore, agencies that have adopted the National Archives and Records Administration (NARA) Capstone program, or similar policies, now maintain emails in a form that is reasonably likely to be more complete than individual custodians’ files.** For example, a custodian may have deleted a responsive email from his or her email program, but your agency’s archiving tools would capture that email under Capstone. Accordingly, American Oversight insists that your agency use the most up-to-date technologies to search for responsive information and take steps to ensure that the most complete repositories of information are searched. American Oversight is available to work with you to craft appropriate search terms. **However, custodian searches are still required; agencies may not have direct access to files stored in .PST files, outside of network drives, in paper format, or in personal email accounts.**

Under the FOIA Improvement Act of 2016, agencies must adopt a presumption of disclosure, withholding information “only if . . . disclosure would harm an interest protected by an exemption” or “disclosure is prohibited by law.”[\[7\]](#) If it is your position that any portion of the requested records is exempt from disclosure, American Oversight requests that you provide an index of those documents as required under *Vaughn v. Rosen*, 484 F.2d

820 (D.C. Cir. 1973), *cert. denied*, 415 U.S. 977 (1974). As you are aware, a *Vaughn* index must describe each document claimed as exempt with sufficient specificity “to permit a reasoned judgment as to whether the material is actually exempt under FOIA.”<sup>[8]</sup> Moreover, the *Vaughn* index “must describe *each* document or portion thereof withheld, and for *each* withholding it must discuss the consequences of disclosing the sought-after information.”<sup>[9]</sup> Further, “the withholding agency must supply ‘a relatively detailed justification, specifically identifying the reasons why a particular exemption is relevant and correlating those claims with the particular part of a withheld document to which they apply.’”<sup>[10]</sup>

In the event some portions of the requested records are properly exempt from disclosure, please disclose any reasonably segregable non-exempt portions of the requested records. If it is your position that a document contains non-exempt segments, but that those non-exempt segments are so dispersed throughout the document as to make segregation impossible, please state what portion of the document is non-exempt, and how the material is dispersed throughout the document.<sup>[11]</sup> Claims of nonsegregability must be made with the same degree of detail as required for claims of exemptions in a *Vaughn* index. If a request is denied in whole, please state specifically that it is not reasonable to segregate portions of the record for release.

**You should institute a preservation hold on information responsive to this request.**

American Oversight intends to pursue all legal avenues to enforce its right of access under FOIA, including litigation if necessary. Accordingly, you are on notice that litigation is reasonably foreseeable.

To ensure that this request is properly construed, that searches are conducted in an adequate but efficient manner, and that extraneous costs are not incurred, American Oversight welcomes an opportunity to discuss its request with you before you undertake your search or incur search or duplication costs. By working together at the outset, American Oversight hopes to decrease the likelihood of costly and time-consuming litigation in the future.

Where possible, please provide responsive material in electronic format by email or in PDF or TIF format on a USB drive. Please send any responsive material being sent by mail to American Oversight, 1030 15th Street NW, Suite B255, Washington, DC 20005. If it will accelerate release of responsive records to American Oversight, please also provide responsive material on a rolling basis.

**Fee Waiver Request**

In accordance with 5 U.S.C. § 552(a)(4)(A)(iii) and your agency’s implementing

regulations, American Oversight requests a waiver of fees associated with processing this request for records. The subject of this request concerns the operations of the federal government, and the disclosures will likely contribute to public understanding of those operations. Moreover, the request is primarily and fundamentally for non-commercial purposes.

American Oversight requests a waiver of fees because disclosure of the requested information is in the public interest because it is likely to contribute significantly to public understanding of activities of the government. The disclosure of the information sought under this request will document and reveal the operations of the federal government, including how the high-ranking officials who carry out U.S. trade policy are influenced by private companies and their lobbyists, as other public records have shown has occurred in some circumstances.<sup>[12]</sup> The disclosure of the records requested here will also shed light on the federal government's approach to trade policy in an environment where U.S. firms are facing retaliatory tariffs that may cause American job losses.<sup>[13]</sup> Due to this administration's aggressive trade policy actions, these topics have received extensive media coverage and public interest.<sup>[14]</sup> And, as described below, American Oversight has the intention and ability to disseminate the records it received to a broad audience.

This request is primarily and fundamentally not for commercial purposes, but rather the primary interest is in public disclosure of responsive records. As a 501(c)(3) nonprofit, American Oversight does not have a commercial purpose and the release of the information requested is not in American Oversight's financial interest. American Oversight's mission is to promote transparency in government, to educate the public about government activities, and to ensure the accountability of government officials. American Oversight uses the information gathered, and its analysis of it, to educate the public through reports, press releases, or other media. American Oversight also makes materials it gathers available on its public website and promotes their availability on social media platforms, such as Facebook and Twitter.<sup>[15]</sup> American Oversight has demonstrated its commitment to the public disclosure of documents and creation of editorial content. For example, after receiving records regarding an ethics waiver received by a senior DOJ attorney,<sup>[16]</sup> American Oversight promptly posted the records to its website and published an analysis of what the records reflected about DOJ's process for ethics waivers.<sup>[17]</sup> As another example, American Oversight has a project called "Audit the Wall," where the organization is gathering and analyzing information and

commenting on public releases of information related to the administration's proposed construction of a barrier along the U.S.-Mexico border.<sup>[18]</sup>

Accordingly, American Oversight qualifies for a fee waiver.



## **Conclusion**

We share a common mission to promote transparency in government. American Oversight looks forward to working with your agency on this request. If you do not understand any part of this request, have any questions, or foresee any problems in fully releasing the requested records, please contact Dan McGrath at [foia@americanoversight.org](mailto:foia@americanoversight.org) or (202) 897-4213. Also, if American Oversight's request for a fee waiver is not granted in full, please contact us immediately upon making such a determination.

Sincerely,

A handwritten signature in blue ink, appearing to read "Austin R. Evers". The signature is fluid and cursive, with a long horizontal line extending to the left.

Austin R. Evers

Executive Director

American Oversight

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[1] Keith Bradsher, *China Once Looked Tough on Trade. Now Its Options Are Dwindling*, N.Y. TIMES, Sept. 18, 2018, ><https://www.nytimes.com/2018/09/18/business/china-trade-war-retaliate.html?action=click&module=Top%20Stories&pgtype=Homepage><

[2] Bob Woodward, *Fear: Trump in the White House* 159-161 (1<sup>st</sup> ed. 2018)

[3] Khorri Atkinson, *What They're Saying: Local Industries React to Trump's Trade War*, AXIOS (July 8 2018), ><https://www.axios.com/local-industries-react-trump-trade-war-fishing-seed-agriculture-daily-ad04a26d-448f-4bbd-92ec-2ae06ce3a713.html><

[4] *See Competitive Enter. Inst. v. Office of Sci. & Tech. Policy*, 827 F.3d 145, 149–50 (D.C. Cir. 2016); *cf. Judicial Watch, Inc. v. Kerry*, 844 F.3d 952, 955–56 (D.C. Cir. 2016).

[5] *See Competitive Enter. Inst. v. Office of Sci. & Tech. Policy*, No. 14-cv-765, slip op. at 8 (D.D.C. Dec. 12, 2016) (“The Government argues that because the agency had a policy requiring [the official] to forward all of his emails from his [personal] account to his business email, the [personal] account only contains duplicate agency records at best. Therefore, the Government claims that any hypothetical deletion of the [personal account] emails would still leave a copy of those records intact in [the official’s] work email. However, policies are rarely followed to perfection by anyone. At this stage of the case, the Court cannot assume that each and every work-related email in the [personal] account was duplicated in [the official’s] work email account.” (citations omitted)).

[6] Presidential Memorandum—Managing Government Records, 76 Fed. Reg. 75,423 (Nov. 28, 2011), ><https://obamawhitehouse.archives.gov/the-press-office/2011/11/28/presidential-memorandum-managing-government-records><; Office of Mgmt. & Budget, Exec. Office of the President, Memorandum for the Heads of Executive Departments & Independent Agencies, “Managing Government Records Directive,” M-12-18 (Aug. 24, 2012), ><https://www.archives.gov/files/records-mgmt/m-12-18.pdf><.

[7] FOIA Improvement Act of 2016 § 2 (Pub. L. No. 114–185).

[8] *Founding Church of Scientology v. Bell*, 603 F.2d 945, 949 (D.C. Cir. 1979).

[9] *King v. U.S. Dep’t of Justice*, 830 F.2d 210, 223–24 (D.C. Cir. 1987) (emphasis in original).

[10] *Id.* at 224 (citing *Mead Data Central, Inc. v. U.S. Dep’t of the Air Force*, 566 F.2d 242, 251 (D.C. Cir. 1977)).

[11] *Mead Data Central*, 566 F.2d at 261.

[12] Cara Lombardo, *Singled Out by Trump, Harley Davidson Opposed Higher Tariffs*, THE SEATTLE TIMES (Mar. 1, 2017, 4:15 PM), ><https://www.seattletimes.com/business/harley-davidson-may-differ-with-trump-on-trade-solution/><.

[13] See, e.g., Bob Ryan, *Trump's Trade War Is Already Leading to Layoffs and Pain for American Businesses*, BUSINESS INSIDER (Aug. 9, 2018, 11:42 AM), ><https://www.businessinsider.com/trump-tariffs-trade-war-layoffs-business-losses-2018-8><; Stuart Anderson, *Tariffs Are Costing Jobs: A Look At How Many*, FORBES (Sep. 24, 2018, 12:04 AM), ><https://www.forbes.com/sites/stuartanderson/2018/09/24/tariffs-are-costing-jobs-a-look-at-how-many/> - 23416c7b26ef; Alan Rappeport, *Harley-Davidson, Blaming E.U. Tariffs, Will Move Some Production Out of U.S.*, N.Y. TIMES, June 25, 2018, ><https://www.nytimes.com/2018/06/25/business/harley-davidson-us-eu-tariffs.html><; Rajesh Kumar Singh, *Harley Warns of Hit from EU Reprisal Against Trump's Tariffs*, REUTERS (June 1, 2018, 1:33 PM), ><https://www.reuters.com/article/us-harley-davidson-tariffs/harley-warns-of-hit-from-eu-reprisal-against-trumps-tariffs-idUSKCN1IX5JF><.

[14] See, e.g., Kenneth Rapoza, *Here Are Some American Losers In Trump's China Trade War*, FORBES (July 13, 2018, 8:33 AM), >[https://www.forbes.com/sites/kenrapoza/2018/07/13/here-are-some-american-losers-in-trumps-china-trade-war/](https://www.forbes.com/sites/kenrapoza/2018/07/13/here-are-some-american-losers-in-trumps-china-trade-war/#4290d401f528)<#4290d401f528; Ana Swanson, *Trump's Trade War With China Pierces the Heart of Michigan*, N.Y. TIMES, July 12, 2018, ><https://www.nytimes.com/2018/07/12/us/politics/trade-war-china-michigan.html><; Nicole Gookind, *Trump Trade War Already Costing American Jobs as Harley-Davidson Announces Move Overseas*, NEWSWEEK (June 25, 2018, 12:08 PM), ><http://www.newsweek.com/tariffs-trump-motorcycles-harley-davidson-europe-china-994366><.

[15] American Oversight currently has approximately 11,900 page likes on Facebook and 45,300 followers on Twitter. American Oversight, FACEBOOK, ><https://www.facebook.com/weareoversight/>< (last visited Oct. 19, 2018); American Oversight (@weareoversight), TWITTER, ><https://twitter.com/weareoversight>< (last visited Oct. 19, 2018).

[16] *DOJ Civil Division Response Noel Francisco Compliance*, AMERICAN OVERSIGHT, ><https://www.americanoversight.org/document/doj-civil-division-response-noel-francisco-compliance><.


[17] *Francisco & the Travel Ban: What We Learned from the DOJ Documents*, AMERICAN OVERSIGHT, ><https://www.americanoversight.org/francisco-the-travel-ban-what-we-learned-from-the-doj-documents><.

[18] *Audit the Wall*, AMERICAN OVERSIGHT, ><https://www.americanoversight.org/investigation/audit-the-wall><.



## Steel 232 Report

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**From:** "Davis, May M. EOP/WHO" (b) (6) who.eop.gov>  
**To:** "Lighthizer, Robert E. EOP/USTR" (b) (6) ustr.eop.gov>,  
"Vaughn, Stephen P. EOP/USTR" <stephen.p.vaughn@ustr.eop.gov>  
**Date:** Thu, 20 Jul 2017 12:36:53 -0400  
**Attachments** : Sec 232 Steel Report 7.20 - Staff Sec.docx (1.37 MB) 

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USTR:

The attached Steel 232 report is the most updated from the Dept. of Commerce. Staff Sec is requesting USTR feedback on this version by 8PM tomorrow, Friday.

Thank you,

May

May Davis  
Assistant White House Staff Secretary  
Cell: (b) (6)  
Office: (b) (6)  
(b) (6) who.eop.gov

## FW: Steel Tariff DMs

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**From:** "Navarro, Peter K. EOP/WHO" <(b) (6) who.eop.gov>  
**To:** "Lighthizer, Robert E. EOP/USTR" <(b) (6) ustr.eop.gov>, "Griffin, Payne P. EOP/USTR" <garrison.p.griffin@ustr.eop.gov>, "Vaughn, Stephen P. EOP/USTR" <stephen.p.vaughn@ustr.eop.gov>



**Date:** Sun, 13 Aug 2017 17:34:11 -0400

**Attachments** Steel Tariffs DM (b) (5) Steel Tariffs DM (b) (5)  
: Steel Tariffs DM - (b) (5)

(b) (5)

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**From:** Staff Secretary  
**Sent:** Sunday, August 13, 2017 5:23 PM  
**Subject:** Steel Tariff DMs  
**Importance:** High

Good afternoon --

Please find three proposed decision memos attached regarding the President (b) (5)

(b) (5)

(b) (5)

Thank you,


STAFF SEC



(b) (5)

## Decision Memo

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**From:** "Davis, May M. EOP/WHO" <(b) (6) who.eop.gov>  
**To:** "Greer, Jamieson L. EOP/USTR" <jamieson.l.greer@ustr.eop.gov>  
**Date:** Sun, 13 Aug 2017 17:31:18 -0400  
**Attachments:** Steel Decision Memo Aug 13 (b) (5) 

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Jamieson --

Still waiting on a few comments to come in, but wanted to quickly get USTR edits/comments on (b) (5) DM. (b) (5)


[REDACTED]

May

May Davis  
Assistant White House Staff Secretary  
Cell: (b) (6)  
Office: (b) (6)  
(b) (6) who.eop.gov

## Fwd: First Pass (b) (5)

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**From:** "Porter, Robert R. EOP/WHO" <(b) (6) who.eop.gov>  
**To:** "Lighthizer, Robert E. EOP/USTR" <(b) (6) ustr.eop.gov>  
**Cc:** "Vaughn, Stephen P. EOP/USTR" <stephen.p.vaughn@ustr.eop.gov>  
**Date:** Mon, 04 Sep 2017 20:00:10 -0400  
  
**Attachments:** (b) (5)

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(b) (5) Would appreciate your quick initial review and preliminary thoughts. Thanks much.

Begin forwarded message:

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**From:** "Navarro, Peter K. EOP/WHO" <(b) (6) who.eop.gov>  
**Date:** September 4, 2017 at 7:51:44 PM EDT  
**To:** "Porter, Robert R. EOP/WHO" <(b) (6) who.eop.gov>  
**Cc:** "Miller, Stephen EOP/WHO" <(b) (6) who.eop.gov>  
**Subject:** First Pass (b) (5)

Rob,

As promised, here's a first pass (b) (5)

(b) (5)

(b) (5)

Peter Navarro

## RE: FOR REVIEW: (b) (5) EO

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**From** : "Davis, May M. EOP/WHO" <(b) (6) who.eop.gov>  
**To** : "Greer, Jamieson L. EOP/USTR" <jamieson.l.greer@ustr.eop.gov>, Staff Secretary <(b) (6) who.eop.gov>  
**Cc** : "Cobaugh, CC M. EOP/USTR" <christina.m.cobaugh@ustr.eop.gov>  
**Date** : Fri, 08 Sep 2017 18:45:26 -0400

Thanks, Jamieson.

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**From**: Greer, Jamieson L. EOP/USTR [mailto:Jamieson.L.Greer@ustr.eop.gov]  
**Sent**: Friday, September 8, 2017 6:23 PM  
**To**: Staff Secretary <(b) (6) who.eop.gov>  
**Cc**: Cobaugh, CC M. EOP/USTR <Christina.M.Cobaugh@ustr.eop.gov>  
**Subject**: RE: FOR REVIEW: (b) (5) EO

All,

Please see attached our comments, as well as comments within the draft EO itself.

Thanks,

Jamieson

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**From**: Staff Secretary [mailto:(b) (6) who.eop.gov]  
**Sent**: Wednesday, September 6, 2017 4:18 PM  
**To**: (b) (5) state.gov; (b) (6) state.gov; Ciccone, Christine M (b) (6) @state.gov; (b) (6) @hq.dhs.gov; (b) (6) @ucia.gov; (b) (6) @dni.gov; (b) (6) doc.gov; (b) (6) doc.gov; (b) (6) (b) (5) d.mil>; (b) (6) @treasury.gov; (b) (6) @osec.usda.gov>; Greer, Jamieson L. EOP/USTR <Jamieson.L.Greer@ustr.eop.gov>  
**Cc**: Staff Secretary <(b) (6) who.eop.gov>; Porter, Robert R. EOP/WHO <(b) (6) who.eop.gov>  
**Subject**: FOR REVIEW: (b) (5) EO

Attached please find a draft Executive Order, (b) (5)

(b) (5)

(b) (5)

(b) (5)

(b) (5)

(b) (5)

Thank you,

The White House Staff Secretary

## updated EO

---

**From:** "Navarro, Peter K. EOP/WHO" <(b) (6) who.eop.gov>  
"Pottinger, Matthew F. EOP/NSC" <(b) (6) nsc.eop.gov>, "Hassett, Kevin A. EOP/CEA" <(b) (6) cea.eop.gov>, "Morrell, David M. EOP/WHO" <(b) (6) who.eop.gov>, "Schultz, James D. EOP/WHO" <(b) (6) who.eop.gov>, "Gray, Alexander B. EOP/WHO" <(b) (6) who.eop.gov>, "Vaughn, Stephen P. EOP/USTR" <stephen.p.vaughn@ustr.eop.gov>, "Lighthizer, Robert E. EOP/USTR" <(b) (6) ustr.eop.gov>

**To:**

**Date:** Sat, 16 Sep 2017 17:08:21 -0400

**Attachments**

:

EO (b) (5)



---

If you haven't redline anything yet, please use this updated draft. Thanks!


Peter Navarro, Director  
Office of Trade & Manufacturing Policy (OTMP)

## Please provide feedback redlined if possible

---

**From:** "Navarro, Peter K. EOP/WHO" <(b) (6) who.eop.gov>  
"Schultz, James D. EOP/WHO" <(b) (6) who.eop.gov>, "Hassett, Kevin A. EOP/CEA" <(b) (6) cea.eop.gov>, "Pottinger, Matthew F. EOP/NSC" <(b) (6) nsc.eop.gov>, "Lighthizer, Robert E. EOP/USTR" <(b) (6) ustr.eop.gov>, "Vaughn, Stephen P. EOP/USTR" <stephen.p.vaughn@ustr.eop.gov>, "Gray, Alexander B. EOP/WHO" <(b) (6) who.eop.gov>

**To:**

**Date:** Sat, 16 Sep 2017 11:18:54 -0400 

**Attachments**  
: EO (b) (5)

---

Team,

I'm working on this this weekend and I'm available to huddle this afternoon or any time tomorrow.

If anyone is around, I'd like to meet and possible meet as a group.

Some initial redline edits would be very useful.

CLOSE HOLD

Peter Navarro, Director  
Office of Trade & Manufacturing Policy (OTMP)




## FOR REVIEW: Updated Aluminum Sec. 232 Report

---

**From:** Staff Secretary <(b) (6) who.eop.gov>

**To:** "Lighthizer, Robert E. EOP/USTR" <(b) (6) ustr.eop.gov>,  
(b) osec.usda.gov, (b) (6) dol.gov, (b) (6) @treasury.gov, "Sweeney, Kevin  
SES SD" <(b) (6) sd.mil>, "Peterlin, Margaret JA" <(b) (6) state.gov>

**Cc:** Staff Secretary <(b) (6) who.eop.gov>, "Porter, Robert R. EOP/WHO"  
<(b) (6) who.eop.gov>

**Date:** Fri, 15 Dec 2017 19:14:00 -0500 

**Attachments**  
: 2017 Aluminum Section 232 Report 12 15 17.docx (705.34 kB); 2017 transmittal  
memo aluminum (2).docx (18.22 kB); 2017 Aluminum Section 232 Report  
Appendices 12 15 17.pdf (5.69 MB)

---

Treasury, State, DOD, USTR, USDA, and DOL:

Attached please find the updated version of the Section 232 report on aluminum imports. The  
attachments now include a transmittal memo (b) (5)

(b) (5)

Thank you,

STAFF SEC

## Steel and Aluminum Decision Memo

---

**From:** Staff Secretary <(b) (6) who.eop.gov>  
"Eissenstat, Everett H. EOP/WHO" <(b) (5) who.eop.gov>, "Miller, Stephen EOP/WHO" <(b) (6) who.eop.gov>, "Morrell, David M. EOP/WHO" <(b) (6) who.eop.gov>, "Peterlin, Margaret JA" <(b) (6) state.gov>, "Hook, Brian H" <(b) (5) state.gov>, "Mohler, Hallock CAPT SD" <(b) (5) sd.mil>, "Vaughn, Stephen P. EOP/USTR" <stephen.p.vaughn@ustr.eop.gov>, "Waddell, Ricky L. EOP/WHO" <(b) (5) who.eop.gov>, "Calabria, Mark A. EOP/OVP" <(b) (5) ovp.eop.gov>, "Brown, Clinton S" <(b) (5) state.gov>, (b) (5) mail.mil

**To:**

**Cc:** Staff Secretary <(b) (6) who.eop.gov>, "Porter, Robert R. EOP/WHO" <(b) (6) who.eop.gov>, "Carroll, James W. EOP/WHO" <(b) (6) @who.eop.gov>

**Date:** Sat, 06 Jan 2018 17:32:14 -0500

**Attachments** Summary of Conclusions - January 2.docx (19.32 kB); Transmittal Memo Steel 232 : 12272017 Final.docx (23.81 kB); 2017 Transmittal aluminum 1227.docx (23.89 kB)



---

Good afternoon –

Friendly reminder that comments (b) (5)

[REDACTED]

[REDACTED]

The Commerce transmittal memos are attached for your information.

Thank you,

STAFF SEC

## RE: POTUS Remarks for Sec. 201

---

**From:** "Griffin, Payne P. EOP/USTR" <garrison.p.griffin@ustr.eop.gov>  
**To:** Staff Secretary <(b) (6) who.eop.gov>  
**Cc:** "Cobaugh, CC M. EOP/USTR" <christina.m.cobaugh@ustr.eop.gov>, "Greer, Jamieson L. EOP/USTR" <jamieson.l.greer@ustr.eop.gov>  
**Date:** Mon, 22 Jan 2018 14:26:15 -0500

**Attachments**

WasherSolar POTUS Remarks USTR2.docx (15.6 kB)



Attached is a new version. This has been approved by Ambassador Lighthizer. We will have no further edits to this statement.

Please let us know the status of this, we will need to know where this is before our Press release goes at 4:30.

---

**From:** Griffin, Payne P. EOP/USTR  
**Sent:** Monday, January 22, 2018 12:09 PM  
**To:** Staff Secretary <(b) (6) who.eop.gov>  
**Cc:** Cobaugh, CC M. EOP/USTR <Christina.M.Cobaugh@ustr.eop.gov>; 'Jamieson L. EOP/USTR Greer (Jamieson.L.Greer@ustr.eop.gov)' <Jamieson.L.Greer@ustr.eop.gov>  
**Subject:** RE: POTUS Remarks for Sec. 201

Attached are USTR's edits.

(b) (5)  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]

---

**From:** Griffin, Payne P. EOP/USTR  
**Sent:** Monday, January 22, 2018 12:01 PM  
**To:** Staff Secretary <(b) (6) who.eop.gov>  
**Cc:** Cobaugh, CC M. EOP/USTR <Christina.M.Cobaugh@ustr.eop.gov>; Jamieson L. EOP/USTR Greer (Jamieson.L.Greer@ustr.eop.gov) <Jamieson.L.Greer@ustr.eop.gov>  
**Subject:** RE: POTUS Remarks for Sec. 201

USTR will have one edit coming momentarily.

Begin forwarded message:

**From:** Staff Secretary <(b) (6)@who.eop.gov>  
**Date:** January 20, 2018 at 7:41:06 PM EST  
**To:** "Marquis, Ashley H. EOP/WHO" (b) (6)@who.eop.gov, "Greer, Jamieson L. EOP/USTR" <Jamieson.L.Greer@ustr.eop.gov>, "Schlapp, Mercedes V. EOP/WHO" (b) (6)@who.eop.gov, "Hicks, Hope C. EOP/WHO" (b) (6)@who.eop.gov, "Mocarski, Ashley D. EOP/WHO" (b) (6)@who.eop.gov  
**Cc:** Staff Secretary <(b) (6)@who.eop.gov>, "Carroll, James W. EOP/WHO" (b) (6)@who.eop.gov, "Porter, Robert R. EOP/WHO" <(b) (6)@who.eop.gov>  
**Subject:** POTUS Remarks for Sec. 201

Attached please find remarks the President will give at the Section 201 trade event on Tuesday.

(b) (5)

Thank you,

STAFF SEC

*NOTE: This staffing is only intended for those staff who are legally permitted to work during the Government shut down.*

## RE: Section 232 Proclamations

---

**From:** Staff Secretary <(b) (6)@who.eop.gov>

"Marquis, Ashley H. EOP/WHO" (b) (6)@who.eop.gov>, "Eissenstat, Everett H. EOP/WHO" <(b) (5)@who.eop.gov>, "Navarro, Peter K. EOP/WHO" <(b) (6)@who.eop.gov>, "Comstock, Earl (Federal)" (b) (6)@doc.gov>, "Greer, Jamieson L. EOP/USTR" <jamieson.l.greer@ustr.eop.gov>, ryan.brady@treasury.gov, "Nordquist, DJ D. EOP/CEA" (b) (6)@cea.eop.gov>, "Miller, Julie L. EOP/OMB" (b) (6)@omb.eop.gov>, "Kushner, Jared C. EOP/WHO" (b) (6)@who.eop.gov>, "Miller, Stephen EOP/WHO" <(b) (6)@who.eop.gov>, "Donaldson, Annie M. EOP/WHO" (b) (6)@who.eop.gov>, Heidi Green (b) (6)@osec.usda.gov>, "Ditto, Jessica E. EOP/WHO" (b) (6)@who.eop.gov>, "Eisenberg, John A. EOP/NSC" (b) (6)@who.eop.gov>, "Krause, Scott" (b) (6)@hq.dhs.gov>, "Mohler, Hallock N JR CAPT USN OSD OSD (US)" <(b) (5)@sd.mil>, "Kenna, Lisa EOP" (b) (6)@state.gov>, "Peterlin, Margaret JA" <(b) (6)@state.gov>, "Hook, Brian H" <(b) (5)@state.gov>, "Brown, Clinton S" <(b) (5)@state.gov>, "Vaughn, Stephen P. EOP/USTR" <stephen.p.vaughn@ustr.eop.gov>

**To:**

**Cc:** Staff Secretary <(b) (6)@who.eop.gov>

**Date:** Mon, 05 Mar 2018 22:44:11 -0500

**Attachments** Steel Proclamation 3.5.docx (45.51 kB); Steel Proclamation 3.5 JUSTIFICATION : (b) (5) (12.76 kB)



Attached is the updated steel proclamation, which includes responses to your comments and a new paragraph:

(b) (5)

[Redacted text block containing multiple lines of blacked-out content]



(b) (5)

Please note the proclamation includes other in-line changes.

Thank you,

STAFF SEC

---

**From:** Staff Secretary

**Sent:** Saturday, March 3, 2018 2:08 PM

**To:** Marquis, Ashley H. EOP/WHO (b) (6) @who.eop.gov; Eissenstat, Everett H. EOP/WHO <(b) (5) who.eop.gov>; Navarro, Peter K. EOP/WHO <(b) (6) who.eop.gov>; Comstock, Earl (Federal) (b) (6) doc.gov>; Greer, Jamieson L. EOP/USTR <Jamieson.L.Greer@ustr.eop.gov>; (b) (6) @treasury.gov; Nordquist, DJ D. EOP/CEA <(b) (6) @cea.eop.gov>; Miller, Julie L. EOP/OMB (b) (6) @omb.eop.gov>; Kushner, Jared C. EOP/WHO (b) (6) who.eop.gov>; Miller, Stephen EOP/WHO <(b) (6) who.eop.gov>; Donaldson, Annie M. EOP/WHO (b) (6) @who.eop.gov>; Heidi Green (b) (6) @osec.usda.gov>; Ditto, Jessica E. EOP/WHO (b) (6) @who.eop.gov>; Eisenberg, John A. EOP/NSC (b) (6) @who.eop.gov>; Krause, Scott <(b) (6) @hq.dhs.gov>; Mohler, Hallock N JR CAPT USN OSD OSD (US) <(b) (5) d.mil>; Kenna, Lisa EOP (b) (6) @state.gov>; Peterlin, Margaret JA <(b) (6) state.gov>; Hook, Brian H <(b) (5) state.gov>; Brown, Clinton S <(b) (5) state.gov>

**Cc:** Staff Secretary <(b) (6) who.eop.gov>

**Subject:** RE: Section 232 Proclamations

(b) (5)

Thank you,

STAFF SEC

---

**From:** Staff Secretary

**Sent:** Monday, February 26, 2018 8:27 PM

**To:** Marquis, Ashley H. EOP/WHO (b) (6) @who.eop.gov; Eissenstat, Everett H. EOP/WHO <(b) (5) who.eop.gov>; Navarro, Peter K. EOP/WHO <(b) (6) who.eop.gov>; Comstock, Earl (Federal) (b) (6) doc.gov>; Greer, Jamieson L. EOP/USTR <Jamieson.L.Greer@ustr.eop.gov>; (b) (6) @treasury.gov; Nordquist, DJ D. EOP/CEA <(b) (6) @cea.eop.gov>; Miller, Julie L. EOP/OMB (b) (6) @omb.eop.gov>; Kushner, Jared C. EOP/WHO (b) (6) who.eop.gov>; Miller, Stephen EOP/WHO <(b) (6) who.eop.gov>; Donaldson, Annie M. EOP/WHO (b) (6) @who.eop.gov>; Heidi Green



(b) (6) @osec.usda.gov>; Ditto, Jessica E. EOP/WHO (b) (6) @who.eop.gov>; Eisenberg, John A. EOP/NSC (b) (6) @who.eop.gov>; Krause, Scott (b) (6) @hq.dhs.gov>; Mohler, Hallock N JR CAPT USN OSD OSD (US) <(b) (5) d.mil>; Kenna, Lisa EOP (b) (6) @state.gov>; Peterlin, Margaret JA <(b) (6) state.gov>; Hook, Brian H <(b) (5) state.gov>; Brown, Clinton S <(b) (5) state.gov>

**Cc:** Staff Secretary <(b) (6) who.eop.gov>

**Subject:** Section 232 Proclamations

Attached please find draft proclamations for the Steel and Aluminum Section 232 actions. (b) (5)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]


[REDACTED]

Thank you,

STAFF SEC

## Draft Sec. 232 Exclusion Proclamation -- 8:00 PM Comments

---

**From:** "Davis, May M. EOP/WHO" <(b) (6) who.eop.gov>  
"Morrell, David M. EOP/WHO" <(b) (6) who.eop.gov>, "Comstock, Earl (Federal)" <(b) (6) doc.gov>, "Willems, Clete R. EOP/NSC" <(b) (6) nsc.eop.gov>, "Joseloff, Benjamin G. EOP/NSC" <(b) (6) nsc.eop.gov>, "MCALEENAN, KEVIN K" <(b) (6) cbp.dhs.gov>, "SMITH, BRENDA BROCKMAN" <(b) (6) cbp.dhs.gov>, "Eissenstat, Everett H. EOP/WHO" <(b) (5) who.eop.gov>, "Vaughn, Stephen P. EOP/USTR" <stephen.p.vaughn@ustr.eop.gov>, "Pagan, Maria L. EOP/USTR" <maria\_pagan@ustr.eop.gov>, "Greer, Jamieson L. EOP/USTR" <jamieson.l.greer@ustr.eop.gov>  
**To:**  
**Cc:** Staff Secretary <(b) (6) who.eop.gov>  
**Date:** Fri, 16 Mar 2018 15:45:45 -0400   
**Attachments**  
: Exemption Proclamation Option 3 3.15 NEC.docx (30.19 kB)

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DOC, INTECON, CBP, and USTR –

The attached draft proclamation (b) (5)

[REDACTED]

CBP:

(b) (5)

[REDACTED]

USTR:

(b) (5)

[REDACTED]

INTECON:

(b) (5)

[REDACTED]

(b) (5)

---

WHCO:

(b) (5)

---


(b) (5)

May

May Davis  
Special Assistant to the President  
Associate Staff Secretary  
Office: (b) (6)  
Cell: (b) (6)  
(b) (6) who.eop.gov

## RE: Clean Sec. 232 Proclamation 3:00 PM

---

**From:** "Pagan, Maria L. EOP/USTR" <maria\_pagan@ustr.eop.gov>  
"Davis, May M. EOP/WHO" <(b) (6) who.eop.gov>, "SMITH, BRENDA BROCKMAN" <(b) (6) cbp.dhs.gov>, "Comstock, Earl (Federal)" <(b) (6) doc.gov>, "MCALEENAN, KEVIN K" <(b) (6) cbp.dhs.gov>, "Vaughn, Stephen P. EOP/USTR" <stephen.p.vaughn@ustr.eop.gov>, "Greer, Jamieson L. EOP/USTR" <jamieson.l.greer@ustr.eop.gov>, "Davidson, Peter (Federal)" <(b) (6) doc.gov>, "Joseloff, Benjamin G. EOP/NSC" <(b) (6) nsc.eop.gov>, "Willems, Clete R. EOP/NSC" <(b) (6) nsc.eop.gov>  
**To:**  
**Cc:** Staff Secretary <(b) (6) who.eop.gov>  
**Date:** Tue, 20 Mar 2018 16:45:24 -0400 

**Attachments**  
: Exemption Proclamation Option 3.20 USTR.docx (35.01 kB)

[Comments on the latest version.](#)

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**From:** Davis, May M. EOP/WHO  
**Sent:** Tuesday, March 20, 2018 3:58 PM  
**To:** SMITH, BRENDA BROCKMAN <(b) (6) cbp.dhs.gov>; Comstock, Earl (Federal) <(b) (6) doc.gov>; MCALEENAN, KEVIN K <(b) (6) cbp.dhs.gov>; Vaughn, Stephen P. EOP/USTR <Stephen.P.Vaughn@ustr.eop.gov>; Greer, Jamieson L. EOP/USTR <Jamieson.L.Greer@ustr.eop.gov>; Pagan, Maria L. EOP/USTR <Maria\_Pagan@ustr.eop.gov>; Davidson, Peter (Federal) <(b) (6) doc.gov>; Joseloff, Benjamin G. EOP/NSC <(b) (6) nsc.eop.gov>; Willems, Clete R. EOP/NSC <(b) (6) nsc.eop.gov>  
**Cc:** Staff Secretary <(b) (6) who.eop.gov>  
**Subject:** RE: Clean Sec. 232 Proclamation 3:00 PM

(b) (5)

[Redacted]

May

---

**From:** Davis, May M. EOP/WHO  
**Sent:** Tuesday, March 20, 2018 3:50 PM  
**To:** SMITH, BRENDA BROCKMAN <(b) (6) cbp.dhs.gov>; Comstock, Earl (Federal) <(b) (6) doc.gov>; MCALEENAN, KEVIN K <(b) (6) cbp.dhs.gov>; Vaughn, Stephen

P. EOP/USTR <Stephen.P.Vaughn@ustr.eop.gov>; Greer, Jamieson L. EOP/USTR <Jamieson.L.Greer@ustr.eop.gov>; Pagan, Maria L. EOP/USTR <Maria\_Pagan@ustr.eop.gov>; Davidson, Peter (Federal) <(b) (6)@doc.gov>; Joseloff, Benjamin G. EOP/NSC <(b) (6)@nsc.eop.gov>; Willems, Clete R. EOP/NSC <(b) (6)@nsc.eop.gov>  
**Cc:** Staff Secretary <(b) (6)@who.eop.gov>  
**Subject:** RE: Clean Sec. 232 Proclamation 3:00 PM

(b) (5)

---

**From:** SMITH, BRENDA BROCKMAN [mailto:(b) (6)@cbp.dhs.gov]  
**Sent:** Tuesday, March 20, 2018 3:40 PM  
**To:** Comstock, Earl (Federal) <(b) (6)@doc.gov>; Davis, May M. EOP/WHO <(b) (6)@who.eop.gov>; MCALEENAN, KEVIN K <(b) (6)@cbp.dhs.gov>; Vaughn, Stephen P. EOP/USTR <Stephen.P.Vaughn@ustr.eop.gov>; Greer, Jamieson L. EOP/USTR <Jamieson.L.Greer@ustr.eop.gov>; Pagan, Maria L. EOP/USTR <Maria\_Pagan@ustr.eop.gov>; Davidson, Peter (Federal) <(b) (6)@doc.gov>; Joseloff, Benjamin G. EOP/NSC <(b) (6)@nsc.eop.gov>; Willems, Clete R. EOP/NSC <(b) (6)@nsc.eop.gov>  
**Cc:** Staff Secretary <(b) (6)@who.eop.gov>  
**Subject:** RE: Clean Sec. 232 Proclamation 3:00 PM

Earl- that works, but think (b) (5)

Brenda

---

**From:** Comstock, Earl (Federal)  
**Sent:** Tuesday, March 20, 2018 7:33:39 PM  
**To:** SMITH, BRENDA BROCKMAN; Davis, May M. EOP/WHO; MCALEENAN, KEVIN K; Vaughn, Stephen P. EOP/USTR; Greer, Jamieson L. EOP/USTR; Pagan, Maria L. EOP/USTR; Davidson, Peter (Federal); Joseloff, Benjamin G. EOP/NSC; Willems, Clete R. EOP/NSC  
**Cc:** Staff Secretary  
**Subject:** Re: Clean Sec. 232 Proclamation 3:00 PM

Thanks Brenda. I recommend (b) (5)

(b) (5)



(b) (5)

Earl

**From:** Brenda Smith <(b) (6)@cbp.dhs.gov>

**Date:** Tuesday, March 20, 2018 at 3:17 PM

**To:** May Davis <(b) (6)@who.eop.gov>, "MCALEENAN, KEVIN K"

<(b) (6)@cbp.dhs.gov>, "Comstock, Earl (Federal)" <(b) (6)@doc.gov>,

Stephen EOP/USTR Vaughn <Stephen.P.Vaughn@ustr.eop.gov>, "Greer, Jamieson L. EOP/USTR"

<Jamieson.L.Greer@ustr.eop.gov>, "Pagan, Maria L. EOP/USTR" <Maria\_Pagan@ustr.eop.gov>,

"Davidson, Peter (Federal)" <(b) (6)@doc.gov>, "Joseloff, Benjamin G. EOP/NSC"

<(b) (6)@nsc.eop.gov>, "Willems, Clete R. EOP/NSC"

<(b) (6)@nsc.eop.gov>

**Cc:** WH Staff Secretary <(b) (6)@who.eop.gov>

**Subject:** RE: Clean Sec. 232 Proclamation 3:00 PM

May – here are DHS/CBP comments:

(b) (5)

**From:** Davis, May M. EOP/WHO [mailto:(b) (6)@who.eop.gov]

**Sent:** Tuesday, March 20, 2018 3:10 PM

**To:** SMITH, BRENDA BROCKMAN <(b) (6)@cbp.dhs.gov>; MCALEENAN, KEVIN K

<(b) (6)@cbp.dhs.gov>; Comstock, Earl (Federal) <(b) (6)@doc.gov>; Vaughn,

Stephen P. EOP/USTR <Stephen.P.Vaughn@ustr.eop.gov>; Greer, Jamieson L. EOP/USTR

<Jamieson.L.Greer@ustr.eop.gov>; Pagan, Maria L. EOP/USTR <Maria\_Pagan@ustr.eop.gov>; Davidson,

Peter (Federal) <(b) (6)@doc.gov>; Joseloff, Benjamin G. EOP/NSC

<(b) (6)@nsc.eop.gov>; Willems, Clete R. EOP/NSC <(b) (6)@nsc.eop.gov>

**Cc:** Staff Secretary <(b) (6)@who.eop.gov>

**Subject:** Clean Sec. 232 Proclamation 3:00 PM

All –

Here is the latest proclamation. (b) (5)

[REDACTED]

[REDACTED]

May

May Davis  
Special Assistant to the President  
Associate Staff Secretary

Office: (b) (6)


Cell: (b) (6)

(b) (6) [who.eop.gov](mailto:who.eop.gov)



## RE: Sec. 232 Proclamation 12:00 PM

---

**From:** "Pagan, Maria L. EOP/USTR" <maria\_pagan@ustr.eop.gov>  
"Comstock, Earl (Federal)" <(b) (6) doc.gov>, "Davis, May M. EOP/WHO" <(b) (6) who.eop.gov>, "MCALEENAN, KEVIN K" <(b) (6) cbp.dhs.gov>, "Greer, Jamieson L. EOP/USTR" <jamieson.l.greer@ustr.eop.gov>, "SMITH, BRENDA BROCKMAN" <(b) (6) cbp.dhs.gov>, "Willems, Clete R. EOP/NSC" <(b) (6) nsc.eop.gov>, "Vaughn, Stephen P. EOP/USTR" <stephen.p.vaughn@ustr.eop.gov>, "Morrell, David M. EOP/WHO" <(b) (6) who.eop.gov>, "Davidson, Peter (Federal)" <(b) (6) doc.gov>, "Joseloff, Benjamin G. EOP/NSC" <(b) (6) nsc.eop.gov>, Staff Secretary <(b) (6) who.eop.gov>, "Busis, William L. EOP/USTR" <william\_busis@ustr.eop.gov>  
**To:**  
**Date:** Wed, 21 Mar 2018 13:16:41 -0400 

**Attachments**  
: Exemption Proclamation Option 3.21 - DL USTR 1.00 on 21 March.docx (33.16 kB)

Edits and comments in attached, (b) (5)

M.

---

**From:** Comstock, Earl (Federal) [mailto:(b) (6) doc.gov]  
**Sent:** Wednesday, March 21, 2018 1:00 PM  
**To:** Davis, May M. EOP/WHO <(b) (6) who.eop.gov>; MCALEENAN, KEVIN K <(b) (6) cbp.dhs.gov>; Greer, Jamieson L. EOP/USTR <Jamieson.L.Greer@ustr.eop.gov>; Pagan, Maria L. EOP/USTR <Maria\_Pagan@ustr.eop.gov>; SMITH, BRENDA BROCKMAN <(b) (6) cbp.dhs.gov>; Willems, Clete R. EOP/NSC <(b) (6) nsc.eop.gov>; Vaughn, Stephen P. EOP/USTR <Stephen.P.Vaughn@ustr.eop.gov>; Morrell, David M. EOP/WHO <(b) (6) who.eop.gov>; Davidson, Peter (Federal) <(b) (6) doc.gov>; Joseloff, Benjamin G. EOP/NSC <(b) (6) nsc.eop.gov>; Staff Secretary <(b) (6) who.eop.gov>; Busis, William L. EOP/USTR <William\_Busis@ustr.eop.gov>  
**Subject:** Re: Sec. 232 Proclamation 12:00 PM

Hi May – Commerce's edits are attached. Thanks for keeping this moving! Earl

---

**From:** May Davis <(b) (6) who.eop.gov>  
**Date:** Wednesday, March 21, 2018 at 11:57 AM

**To:** "MCALEENAN, KEVIN K" <(b) (6)@cbp.dhs.gov>, "Greer, Jamieson L. EOP/USTR" <Jamieson.L.Greer@ustr.eop.gov>, "Pagan, Maria L. EOP/USTR" <Maria\_Pagan@ustr.eop.gov>, Brenda Smith <(b) (6)@cbp.dhs.gov>, "Comstock, Earl (Federal)" <(b) (6)@doc.gov>, "Willems, Clete R. EOP/NSC" <(b) (6)@nsc.eop.gov>, Stephen EOP/USTR Vaughn <Stephen.P.Vaughn@ustr.eop.gov>, David Morrell <(b) (6)@who.eop.gov>, "Davidson, Peter (Federal)" <(b) (6)@doc.gov>, "Joseloff, Benjamin G. EOP/NSC" <(b) (6)@nsc.eop.gov>, WH Staff Secretary <(b) (6)@who.eop.gov>, "Busis, William L. EOP/USTR" <William\_Busis@ustr.eop.gov>  
**Subject:** Sec. 232 Proclamation 12:00 PM

Attached please find the latest version of the proclamation. (b) (5)

[REDACTED]

[REDACTED]

[REDACTED]

May

May Davis  
Special Assistant to the President  
Associate Staff Secretary  
Office: (b) (6)  
Cell: (b) (6)  
(b) (6)@who.eop.gov

## RE: Sec. 232 Proclamation 12:00 PM

---

From

:

"Pagan, Maria L. EOP/USTR" <maria\_pagan@ustr.eop.gov>

"Davis, May M. EOP/WHO" <(b) (6) who.eop.gov>, "Willems, Clete R. EOP/NSC" <(b) (6) nsc.eop.gov>, "Comstock, Earl (Federal)" <(b) (6) doc.gov>, "MCALEENAN, KEVIN K" <(b) (6) cbp.dhs.gov>, "Greer, Jamieson L. EOP/USTR" <jamieson.l.greer@ustr.eop.gov>, "SMITH, BRENDA BROCKMAN"

To:

<(b) (6) cbp.dhs.gov>, "Vaughn, Stephen P. EOP/USTR" <stephen.p.vaughn@ustr.eop.gov>, "Morrell, David M. EOP/WHO" <(b) (6) who.eop.gov>, "Davidson, Peter (Federal)" <(b) (6) doc.gov>, "Joseloff, Benjamin G. EOP/NSC" <(b) (6) nsc.eop.gov>, Staff Secretary <(b) (6) who.eop.gov>, "Buis, William L. EOP/USTR" <william\_buis@ustr.eop.gov>

Date: Wed, 21 Mar 2018 14:28:42 -0400

Will review in a sec, but just got off the phone with Amb. Lighthizer and Stephen Vaughn. On

(b) (5)

(b) (5)

---

M.

**From:** Davis, May M. EOP/WHO

**Sent:** Wednesday, March 21, 2018 2:16 PM

**To:** Willems, Clete R. EOP/NSC <(b) (6) nsc.eop.gov>; Pagan, Maria L. EOP/USTR <Maria\_Pagan@ustr.eop.gov>; Comstock, Earl (Federal) <(b) (6) doc.gov>; MCALEENAN, KEVIN K <(b) (6) cbp.dhs.gov>; Greer, Jamieson L. EOP/USTR <Jamieson.L.Greer@ustr.eop.gov>; SMITH, BRENDA BROCKMAN <(b) (6) cbp.dhs.gov>; Vaughn, Stephen P. EOP/USTR <Stephen.P.Vaughn@ustr.eop.gov>; Morrell, David M. EOP/WHO <(b) (6) who.eop.gov>; Davidson, Peter (Federal) <(b) (6) doc.gov>; Joseloff, Benjamin

G. EOP/NSC <(b) (6)@nsc.eop.gov>; Staff Secretary <(b) (6)@who.eop.gov>; Busis, William L. EOP/USTR <William\_Busis@ustr.eop.gov>  
**Subject:** RE: Sec. 232 Proclamation 12:00 PM

Thanks everyone.

(b) (5) This is the latest I have. USTR still has some questions on the bottom.

(b) (5)

May

---

**From:** Willems, Clete R. EOP/NSC  
**Sent:** Wednesday, March 21, 2018 1:50 PM  
**To:** Pagan, Maria L. EOP/USTR <Maria\_Pagan@ustr.eop.gov>; Comstock, Earl (Federal) <(b) (6)@doc.gov>; Davis, May M. EOP/WHO <(b) (6)@who.eop.gov>; MCALEENAN, KEVIN K <(b) (6)@cbp.dhs.gov>; Greer, Jamieson L. EOP/USTR <Jamieson.L.Greer@ustr.eop.gov>; SMITH, BRENDA BROCKMAN <(b) (6)@cbp.dhs.gov>; Vaughn, Stephen P. EOP/USTR <Stephen.P.Vaughn@ustr.eop.gov>; Morrell, David M. EOP/WHO <(b) (6)@who.eop.gov>; Davidson, Peter (Federal) <(b) (6)@doc.gov>; Joseloff, Benjamin G. EOP/NSC <(b) (6)@nsc.eop.gov>; Staff Secretary <(b) (6)@who.eop.gov>; Busis, William L. EOP/USTR <William\_Busis@ustr.eop.gov>  
**Subject:** RE: Sec. 232 Proclamation 12:00 PM

(b) (5)

---

**From:** Pagan, Maria L. EOP/USTR  
**Sent:** Wednesday, March 21, 2018 1:17 PM  
**To:** Comstock, Earl (Federal) <(b) (6)@doc.gov>; Davis, May M. EOP/WHO <(b) (6)@who.eop.gov>; MCALEENAN, KEVIN K <(b) (6)@cbp.dhs.gov>; Greer, Jamieson L. EOP/USTR <Jamieson.L.Greer@ustr.eop.gov>; SMITH, BRENDA BROCKMAN <(b) (6)@cbp.dhs.gov>; Willems, Clete R. EOP/NSC <(b) (6)@nsc.eop.gov>; Vaughn, Stephen P. EOP/USTR <Stephen.P.Vaughn@ustr.eop.gov>; Morrell, David M. EOP/WHO <(b) (6)@who.eop.gov>; Davidson, Peter (Federal) <(b) (6)@doc.gov>; Joseloff, Benjamin G. EOP/NSC <(b) (6)@nsc.eop.gov>; Staff Secretary <(b) (6)@who.eop.gov>; Busis, William L. EOP/USTR <William\_Busis@ustr.eop.gov>  
**Subject:** RE: Sec. 232 Proclamation 12:00 PM

Edits and comments in attached, (b) (5)



M.

---

**From:** Comstock, Earl (Federal) [mailto:(b) (6)@doc.gov]  
**Sent:** Wednesday, March 21, 2018 1:00 PM  
**To:** Davis, May M. EOP/WHO <(b) (6)@who.eop.gov>; MCALEENAN, KEVIN K <(b) (6)@cbp.dhs.gov>; Greer, Jamieson L. EOP/USTR <Jamieson.L.Greer@ustr.eop.gov>; Pagan, Maria L. EOP/USTR <Maria\_Pagan@ustr.eop.gov>; SMITH, BRENDA BROCKMAN <(b) (6)@cbp.dhs.gov>; Willems, Clete R. EOP/NSC <(b) (6)@nsc.eop.gov>; Vaughn, Stephen P. EOP/USTR <Stephen.P.Vaughn@ustr.eop.gov>; Morrell, David M. EOP/WHO <(b) (6)@who.eop.gov>; Davidson, Peter (Federal) <(b) (6)@doc.gov>; Joseloff, Benjamin G. EOP/NSC <(b) (6)@nsc.eop.gov>; Staff Secretary <(b) (6)@who.eop.gov>; Busis, William L. EOP/USTR <William\_Busis@ustr.eop.gov>  
**Subject:** Re: Sec. 232 Proclamation 12:00 PM

Hi May – Commerce's edits are attached. Thanks for keeping this moving! Earl

---

**From:** May Davis <(b) (6)@who.eop.gov>  
**Date:** Wednesday, March 21, 2018 at 11:57 AM  
**To:** "MCALEENAN, KEVIN K" <(b) (6)@cbp.dhs.gov>, "Greer, Jamieson L. EOP/USTR" <Jamieson.L.Greer@ustr.eop.gov>, "Pagan, Maria L. EOP/USTR" <Maria\_Pagan@ustr.eop.gov>, Brenda Smith <(b) (6)@cbp.dhs.gov>, "Comstock, Earl (Federal)" <(b) (6)@doc.gov>, "Willems, Clete R. EOP/NSC" <(b) (6)@nsc.eop.gov>, Stephen EOP/USTR Vaughn <Stephen.P.Vaughn@ustr.eop.gov>, David Morrell <(b) (6)@who.eop.gov>, "Davidson, Peter (Federal)" <(b) (6)@doc.gov>, "Joseloff, Benjamin G. EOP/NSC" <(b) (6)@nsc.eop.gov>, WH Staff Secretary <(b) (6)@who.eop.gov>, "Busis, William L. EOP/USTR" <William\_Busis@ustr.eop.gov>  
**Subject:** Sec. 232 Proclamation 12:00 PM

Attached please find the latest version of the proclamation. (b) (5)

(b) (5)

(b) (5)

(b) (5)

(b) (5)

(b) (5)

(b) (5)

May

May Davis  
Special Assistant to the President  
Associate Staff Secretary  
Office: (b) (6)  
Cell: (b) (6)  
(b) (6)@who.eop.gov

## RE: Sec. 232 Proclamation 7PM

---

**From:** "Pagan, Maria L. EOP/USTR" <maria\_pagan@ustr.eop.gov>  
"Comstock, Earl (Federal)" <(b) (6) doc.gov>, "Davis, May M. EOP/WHO"  
<(b) (6) who.eop.gov>, "MCALEENAN, KEVIN K"  
<(b) (6) cbp.dhs.gov>, "Greer, Jamieson L. EOP/USTR"  
<jamieson.l.greer@ustr.eop.gov>, "SMITH, BRENDA BROCKMAN"  
<(b) (6) cbp.dhs.gov>, "Willems, Clete R. EOP/NSC"  
**To:** <(b) (6) nsc.eop.gov>, "Vaughn, Stephen P. EOP/USTR"  
<stephen.p.vaughn@ustr.eop.gov>, "Morrell, David M. EOP/WHO"  
<(b) (6) who.eop.gov>, "Davidson, Peter (Federal)"  
<(b) (6) doc.gov>, "Joseloff, Benjamin G. EOP/NSC"  
<(b) (6) nsc.eop.gov>, Staff Secretary <(b) (6) who.eop.gov>,  
"Busis, William L. EOP/USTR" <william\_busis@ustr.eop.gov>  
**Date:** Wed, 21 Mar 2018 21:56:41 -0400



**Attachments**

Exemption Proclamation Option 3.21 7PM USTR + DOC USTR2.docx (31.6 kB)

(b) (5)

[Redacted text block]

M.

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**From:** Comstock, Earl (Federal) [mailto:(b) (6) doc.gov]  
**Sent:** Wednesday, March 21, 2018 9:12 PM  
**To:** Pagan, Maria L. EOP/USTR <Maria\_Pagan@ustr.eop.gov>; Davis, May M. EOP/WHO  
<(b) (6) who.eop.gov>; MCALEENAN, KEVIN K <(b) (6) cbp.dhs.gov>; Greer,  
Jamieson L. EOP/USTR <Jamieson.L.Greer@ustr.eop.gov>; SMITH, BRENDA BROCKMAN  
<(b) (6) cbp.dhs.gov>; Willems, Clete R. EOP/NSC  
<(b) (6) nsc.eop.gov>; Vaughn, Stephen P. EOP/USTR <Stephen.P.Vaughn@ustr.eop.gov>;  
Morrell, David M. EOP/WHO <(b) (6) who.eop.gov>; Davidson, Peter (Federal)  
<(b) (6) doc.gov>; Joseloff, Benjamin G. EOP/NSC <(b) (6) nsc.eop.gov>; Staff  
Secretary <(b) (6) who.eop.gov>; Busis, William L. EOP/USTR <William\_Busis@ustr.eop.gov>  
**Subject:** Re: Sec. 232 Proclamation 7PM

Attached are Commerce's suggested edits added to USTR's. Earl

---

**From:** "Pagan, Maria L. EOP/USTR" <Maria\_Pagan@ustr.eop.gov>  
**Date:** Wednesday, March 21, 2018 at 7:31 PM  
**To:** May Davis <(b) (6)@who.eop.gov>, "MCALEENAN, KEVIN K" <(b) (6)@cbp.dhs.gov>, "Greer, Jamieson L. EOP/USTR" <Jamieson.L.Greer@ustr.eop.gov>, Brenda Smith <(b) (6)@cbp.dhs.gov>, "Comstock, Earl (Federal)" <(b) (6)@doc.gov>, "Willems, Clete R. EOP/NSC" <(b) (6)@nsc.eop.gov>, Stephen EOP/USTR Vaughn <Stephen.P.Vaughn@ustr.eop.gov>, David Morrell <(b) (6)@who.eop.gov>, "Davidson, Peter (Federal)" <(b) (6)@doc.gov>, "Joseloff, Benjamin G. EOP/NSC" <(b) (6)@nsc.eop.gov>, WH Staff Secretary <(b) (6)@who.eop.gov>, "Busis, William L. EOP/USTR" <William\_Busis@ustr.eop.gov>  
**Subject:** RE: Sec. 232 Proclamation 7PM

Just a few comments.

---

**From:** Davis, May M. EOP/WHO  
**Sent:** Wednesday, March 21, 2018 7:08 PM  
**To:** MCALEENAN, KEVIN K <(b) (6)@cbp.dhs.gov>; Greer, Jamieson L. EOP/USTR <Jamieson.L.Greer@ustr.eop.gov>; Pagan, Maria L. EOP/USTR <Maria\_Pagan@ustr.eop.gov>; SMITH, BRENDA BROCKMAN <(b) (6)@cbp.dhs.gov>; Comstock, Earl (Federal) <(b) (6)@doc.gov>; Willems, Clete R. EOP/NSC <(b) (6)@nsc.eop.gov>; Vaughn, Stephen P. EOP/USTR <Stephen.P.Vaughn@ustr.eop.gov>; Morrell, David M. EOP/WHO <(b) (6)@who.eop.gov>; Davidson, Peter (Federal) <(b) (6)@doc.gov>; Joseloff, Benjamin G. EOP/NSC <(b) (6)@nsc.eop.gov>; Staff Secretary <(b) (6)@who.eop.gov>; Busis, William L. EOP/USTR <William\_Busis@ustr.eop.gov>  
**Subject:** Sec. 232 Proclamation 7PM

(b) (5)



Thank you,

May

May Davis  
Special Assistant to the President  
Associate Staff Secretary  
Office: (b) (6)

Cell: (b) (6)  
(b) (6) who.eop.gov



## RE: Sec. 232 Proclamation 12:00 PM

---

**From:** "Pagan, Maria L. EOP/USTR" <maria\_pagan@ustr.eop.gov>  
"Davis, May M. EOP/WHO" <(b) (6) who.eop.gov>, "Willems, Clete R. EOP/NSC" <(b) (6) nsc.eop.gov>, "Comstock, Earl (Federal)" <(b) (6) doc.gov>, "MCALEENAN, KEVIN K" <(b) (6) cbp.dhs.gov>, "Greer, Jamieson L. EOP/USTR" <jamieson.l.greer@ustr.eop.gov>, "SMITH, BRENDA BROCKMAN" <(b) (6) cbp.dhs.gov>, "Vaughn, Stephen P. EOP/USTR" <stephen.p.vaughn@ustr.eop.gov>, "Morrell, David M. EOP/WHO" <(b) (6) who.eop.gov>, "Davidson, Peter (Federal)" <(b) (6) doc.gov>, "Joseloff, Benjamin G. EOP/NSC" <(b) (6) nsc.eop.gov>, Staff Secretary <(b) (6) who.eop.gov>, "Busis, William L. EOP/USTR" <william\_busis@ustr.eop.gov>  
**To:**  
**Date:** Wed, 21 Mar 2018 14:55:25 -0400



**Attachments**

Exemption Proclamation Option 3.21 USTR 2.30 pm.docx (34.06 kB)

[Comments on the latest version in attached, including implementing below change.](#)

---

**From:** Davis, May M. EOP/WHO  
**Sent:** Wednesday, March 21, 2018 2:32 PM  
**To:** Pagan, Maria L. EOP/USTR <Maria\_Pagan@ustr.eop.gov>; Willems, Clete R. EOP/NSC <(b) (6) nsc.eop.gov>; Comstock, Earl (Federal) <(b) (6) doc.gov>; MCALEENAN, KEVIN K <(b) (6) cbp.dhs.gov>; Greer, Jamieson L. EOP/USTR <Jamieson.L.Greer@ustr.eop.gov>; SMITH, BRENDA BROCKMAN <(b) (6) cbp.dhs.gov>; Vaughn, Stephen P. EOP/USTR <Stephen.P.Vaughn@ustr.eop.gov>; Morrell, David M. EOP/WHO <(b) (6) who.eop.gov>; Davidson, Peter (Federal) <(b) (6) doc.gov>; Joseloff, Benjamin G. EOP/NSC <(b) (6) nsc.eop.gov>; Staff Secretary <(b) (6) who.eop.gov>; Busis, William L. EOP/USTR <William\_Busis@ustr.eop.gov>  
**Subject:** RE: Sec. 232 Proclamation 12:00 PM

Done.

---

**From:** Pagan, Maria L. EOP/USTR  
**Sent:** Wednesday, March 21, 2018 2:29 PM  
**To:** Davis, May M. EOP/WHO <(b) (6) who.eop.gov>; Willems, Clete R. EOP/NSC <(b) (6) nsc.eop.gov>; Comstock, Earl (Federal) <(b) (6) doc.gov>; MCALEENAN, KEVIN

K <(b) (6)>@cbp.dhs.gov>; Greer, Jamieson L. EOP/USTR  
<Jamieson.L.Greer@ustr.eop.gov>; SMITH, BRENDA BROCKMAN  
<(b) (6)>@cbp.dhs.gov>; Vaughn, Stephen P. EOP/USTR  
<Stephen.P.Vaughn@ustr.eop.gov>; Morrell, David M. EOP/WHO <(b) (6)>@who.eop.gov>;  
Davidson, Peter (Federal) <(b) (6)>@doc.gov>; Joseloff, Benjamin G. EOP/NSC  
<(b) (6)>@nsc.eop.gov>; Staff Secretary <(b) (6)>@who.eop.gov>; Busis, William L.  
EOP/USTR <William\_Busis@ustr.eop.gov>  
**Subject:** RE: Sec. 232 Proclamation 12:00 PM

Will review in a sec, but just got off the phone with Amb. Lighthizer and Stephen Vaughn. On  
(b) (5)

(b) (5)

M.

---

**From:** Davis, May M. EOP/WHO  
**Sent:** Wednesday, March 21, 2018 2:16 PM  
**To:** Willems, Clete R. EOP/NSC <(b) (6)>@nsc.eop.gov>; Pagan, Maria L. EOP/USTR  
<Maria\_Pagan@ustr.eop.gov>; Comstock, Earl (Federal) <(b) (6)>@doc.gov>; MCALEENAN, KEVIN K  
<(b) (6)>@cbp.dhs.gov>; Greer, Jamieson L. EOP/USTR <Jamieson.L.Greer@ustr.eop.gov>;  
SMITH, BRENDA BROCKMAN <(b) (6)>@cbp.dhs.gov>; Vaughn, Stephen P.  
EOP/USTR <Stephen.P.Vaughn@ustr.eop.gov>; Morrell, David M. EOP/WHO  
<(b) (6)>@who.eop.gov>; Davidson, Peter (Federal) <(b) (6)>@doc.gov>; Joseloff, Benjamin  
G. EOP/NSC <(b) (6)>@nsc.eop.gov>; Staff Secretary <(b) (6)>@who.eop.gov>; Busis,  
William L. EOP/USTR <William\_Busis@ustr.eop.gov>  
**Subject:** RE: Sec. 232 Proclamation 12:00 PM

Thanks everyone.

(b) (5)

May

---

**From:** Willems, Clete R. EOP/NSC

**Sent:** Wednesday, March 21, 2018 1:50 PM

**To:** Pagan, Maria L. EOP/USTR <Maria\_Pagan@ustr.eop.gov>; Comstock, Earl (Federal)

<(b) (6) doc.gov>; Davis, May M. EOP/WHO <(b) (6) who.eop.gov>; MCALEENAN, KEVIN K <(b) (6) bp.dhs.gov>; Greer, Jamieson L. EOP/USTR <Jamieson.L.Greer@ustr.eop.gov>; SMITH, BRENDA BROCKMAN <(b) (6) bp.dhs.gov>; Vaughn, Stephen P. EOP/USTR <Stephen.P.Vaughn@ustr.eop.gov>; Morrell, David M. EOP/WHO <(b) (6) who.eop.gov>; Davidson, Peter (Federal) <(b) (6) doc.gov>; Joseloff, Benjamin G. EOP/NSC <(b) (6) nsc.eop.gov>; Staff Secretary <(b) (6) who.eop.gov>; Busis, William L. EOP/USTR <William\_Busis@ustr.eop.gov>

**Subject:** RE: Sec. 232 Proclamation 12:00 PM

(b) (5)  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]

---

**From:** Pagan, Maria L. EOP/USTR

**Sent:** Wednesday, March 21, 2018 1:17 PM

**To:** Comstock, Earl (Federal) <(b) (6) doc.gov>; Davis, May M. EOP/WHO

<(b) (6) who.eop.gov>; MCALEENAN, KEVIN K <(b) (6) bp.dhs.gov>; Greer, Jamieson L. EOP/USTR <Jamieson.L.Greer@ustr.eop.gov>; SMITH, BRENDA BROCKMAN <(b) (6) bp.dhs.gov>; Willems, Clete R. EOP/NSC <(b) (6) nsc.eop.gov>; Vaughn, Stephen P. EOP/USTR <Stephen.P.Vaughn@ustr.eop.gov>; Morrell, David M. EOP/WHO <(b) (6) who.eop.gov>; Davidson, Peter (Federal) <(b) (6) doc.gov>; Joseloff, Benjamin G. EOP/NSC <(b) (6) nsc.eop.gov>; Staff Secretary <(b) (6) who.eop.gov>; Busis, William L. EOP/USTR <William\_Busis@ustr.eop.gov>

**Subject:** RE: Sec. 232 Proclamation 12:00 PM

Edits and comments in attached, (b) (5)  
[Redacted]

M.

---

**From:** Comstock, Earl (Federal) [mailto:(b) (6) doc.gov]

**Sent:** Wednesday, March 21, 2018 1:00 PM

**To:** Davis, May M. EOP/WHO <(b) (6) who.eop.gov>; MCALEENAN, KEVIN K

<(b) (6) bp.dhs.gov>; Greer, Jamieson L. EOP/USTR <Jamieson.L.Greer@ustr.eop.gov>; Pagan, Maria L. EOP/USTR <Maria\_Pagan@ustr.eop.gov>; SMITH, BRENDA BROCKMAN <(b) (6) bp.dhs.gov>; Willems, Clete R. EOP/NSC <(b) (6) nsc.eop.gov>; Vaughn, Stephen P. EOP/USTR <Stephen.P.Vaughn@ustr.eop.gov>; Morrell, David M. EOP/WHO <(b) (6) who.eop.gov>; Davidson, Peter (Federal) <(b) (6) doc.gov>; Joseloff, Benjamin G. EOP/NSC <(b) (6) nsc.eop.gov>; Staff Secretary <(b) (6) who.eop.gov>; Busis, William L. EOP/USTR <William\_Busis@ustr.eop.gov>

**Subject:** Re: Sec. 232 Proclamation 12:00 PM



Hi May – Commerce's edits are attached. Thanks for keeping this moving! Earl

---

**From:** May Davis <(b) (6) who.eop.gov>  
**Date:** Wednesday, March 21, 2018 at 11:57 AM  
**To:** "MCALEENAN, KEVIN K" <(b) (6) bp.dhs.gov>, "Greer, Jamieson L. EOP/USTR" <Jamieson.L.Greer@ustr.eop.gov>, "Pagan, Maria L. EOP/USTR" <Maria\_Pagan@ustr.eop.gov>, Brenda Smith <(b) (6) bp.dhs.gov>, "Comstock, Earl (Federal)" <(b) (6) doc.gov>, "Willems, Clete R. EOP/NSC" <(b) (6) nsc.eop.gov>, Stephen EOP/USTR Vaughn <Stephen.P.Vaughn@ustr.eop.gov>, David Morrell <(b) (6) who.eop.gov>, "Davidson, Peter (Federal)" <(b) (6) doc.gov>, "Joseloff, Benjamin G. EOP/NSC" <(b) (6) nsc.eop.gov>, WH Staff Secretary <(b) (6) who.eop.gov>, "Busis, William L. EOP/USTR" <William\_Busis@ustr.eop.gov>  
**Subject:** Sec. 232 Proclamation 12:00 PM

Attached please find the latest version of the proclamation. (b) (5)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]


[REDACTED]

May

May Davis  
Special Assistant to the President  
Associate Staff Secretary  
Office: (b) (6)  
Cell: (b) (6)  
(b) (6) who.eop.gov

## RE: Clean Sec. 232 Proclamation 3:00 PM

---

**From:** "Pagan, Maria L. EOP/USTR" <maria\_pagan@ustr.eop.gov>  
"Davis, May M. EOP/WHO" <(b) (6) who.eop.gov>, "Comstock, Earl (Federal)" <(b) (6) doc.gov>, "Willems, Clete R. EOP/NSC" <(b) (6) nsc.eop.gov>, "Vaughn, Stephen P. EOP/USTR" <stephen.p.vaughn@ustr.eop.gov>, "Morrell, David M. EOP/WHO" <(b) (6) who.eop.gov>  
  
"SMITH, BRENDA BROCKMAN" <(b) (6) cbp.dhs.gov>, "MCALEENAN, KEVIN K" <(b) (6) cbp.dhs.gov>, "Greer, Jamieson L. EOP/USTR" <jamieson.l.greer@ustr.eop.gov>, "Davidson, Peter (Federal)" <(b) (6) doc.gov>, "Joseloff, Benjamin G. EOP/NSC" <(b) (6) nsc.eop.gov>, Staff Secretary <(b) (6) who.eop.gov>  
  
**Date:** Wed, 21 Mar 2018 09:09:56 -0400   
**Attachments** Exemption Proclamation Option 3.20 850PM (b) (5) + SS  
: USTR.docx (38.97 kB)

[USTR comments in attached.](#)

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**From:** Davis, May M. EOP/WHO  
**Sent:** Wednesday, March 21, 2018 7:13 AM  
**To:** Comstock, Earl (Federal) <(b) (6) doc.gov>; Willems, Clete R. EOP/NSC <(b) (6) nsc.eop.gov>; Vaughn, Stephen P. EOP/USTR <Stephen.P.Vaughn@ustr.eop.gov>; Morrell, David M. EOP/WHO <(b) (6) who.eop.gov>  
**Cc:** SMITH, BRENDA BROCKMAN <(b) (6) cbp.dhs.gov>; MCALEENAN, KEVIN K <(b) (6) cbp.dhs.gov>; Greer, Jamieson L. EOP/USTR <Jamieson.L.Greer@ustr.eop.gov>; Pagan, Maria L. EOP/USTR <Maria\_Pagan@ustr.eop.gov>; Davidson, Peter (Federal) <(b) (6) doc.gov>; Joseloff, Benjamin G. EOP/NSC <(b) (6) nsc.eop.gov>; Staff Secretary <(b) (6) who.eop.gov>  
**Subject:** RE: Clean Sec. 232 Proclamation 3:00 PM

Here is the latest (b) (5)

[REDACTED]

[REDACTED]

[REDACTED]

May

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**From:** Comstock, Earl (Federal) [mailto:(b) (6)@doc.gov]  
**Sent:** Tuesday, March 20, 2018 9:01 PM  
**To:** Davis, May M. EOP/WHO <(b) (6)@who.eop.gov>; Willems, Clete R. EOP/NSC <(b) (6)@nsc.eop.gov>; Vaughn, Stephen P. EOP/USTR <Stephen.P.Vaughn@ustr.eop.gov>  
**Cc:** SMITH, BRENDA BROCKMAN <(b) (6)@bp.dhs.gov>; MCALEENAN, KEVIN K <(b) (6)@bp.dhs.gov>; Greer, Jamieson L. EOP/USTR <Jamieson.L.Greer@ustr.eop.gov>; Pagan, Maria L. EOP/USTR <Maria\_Pagan@ustr.eop.gov>; Davidson, Peter (Federal) <(b) (6)@doc.gov>; Joseloff, Benjamin G. EOP/NSC <(b) (6)@nsc.eop.gov>; Staff Secretary <(b) (6)@who.eop.gov>  
**Subject:** Re: Clean Sec. 232 Proclamation 3:00 PM  
**Importance:** High

(b) (5) Here you go. Earl

---

**From:** May Davis <(b) (6)@who.eop.gov>  
**Date:** Tuesday, March 20, 2018 at 8:18 PM  
**To:** "Willems, Clete R. EOP/NSC" <(b) (6)@nsc.eop.gov>, Stephen EOP/USTR Vaughn <Stephen.P.Vaughn@ustr.eop.gov>  
**Cc:** Brenda Smith <(b) (6)@bp.dhs.gov>, "Comstock, Earl (Federal)" <(b) (6)@doc.gov>, "MCALEENAN, KEVIN K" <(b) (6)@bp.dhs.gov>, "Greer, Jamieson L. EOP/USTR" <Jamieson.L.Greer@ustr.eop.gov>, "Pagan, Maria L. EOP/USTR" <Maria\_Pagan@ustr.eop.gov>, "Davidson, Peter (Federal)" <(b) (6)@doc.gov>, "Joseloff, Benjamin G. EOP/NSC" <(b) (6)@nsc.eop.gov>, WH Staff Secretary <(b) (6)@who.eop.gov>  
**Subject:** RE: Clean Sec. 232 Proclamation 3:00 PM

(b) (5)

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**From:** Willems, Clete R. EOP/NSC  
**Sent:** Tuesday, March 20, 2018 8:15 PM  
**To:** Vaughn, Stephen P. EOP/USTR <Stephen.P.Vaughn@ustr.eop.gov>  
**Cc:** Davis, May M. EOP/WHO <(b) (6)@who.eop.gov>; SMITH, BRENDA BROCKMAN <(b) (6)@bp.dhs.gov>; Comstock, Earl (Federal) <(b) (6)@doc.gov>; MCALEENAN, KEVIN K <(b) (6)@bp.dhs.gov>; Greer, Jamieson L. EOP/USTR <Jamieson.L.Greer@ustr.eop.gov>; Pagan, Maria L. EOP/USTR <Maria\_Pagan@ustr.eop.gov>; Davidson, Peter (Federal) <(b) (6)@doc.gov>; Joseloff, Benjamin G. EOP/NSC <(b) (6)@nsc.eop.gov>; Staff Secretary <(b) (6)@who.eop.gov>  
**Subject:** Re: Clean Sec. 232 Proclamation 3:00 PM

(b) (5)

Sent from my iPhone



On Mar 20, 2018, at 7:54 PM, Vaughn, Stephen P. EOP/USTR <[Stephen.P.Vaughn@ustr.eop.gov](mailto:Stephen.P.Vaughn@ustr.eop.gov)> wrote:

(b) (5)

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**From:** Davis, May M. EOP/WHO  
**Sent:** Tuesday, March 20, 2018 7:52 PM  
**To:** Vaughn, Stephen P. EOP/USTR <[Stephen.P.Vaughn@ustr.eop.gov](mailto:Stephen.P.Vaughn@ustr.eop.gov)>; SMITH, BRENDA BROCKMAN <(b) (6) [bp.dhs.gov](mailto:bp.dhs.gov)>; Comstock, Earl (Federal) <(b) (6) [doc.gov](mailto:doc.gov)>; MCALEENAN, KEVIN K <(b) (6) [bp.dhs.gov](mailto:bp.dhs.gov)>; Greer, Jamieson L. EOP/USTR <[Jamieson.L.Greer@ustr.eop.gov](mailto:Jamieson.L.Greer@ustr.eop.gov)>; Pagan, Maria L. EOP/USTR <[Maria\\_Pagan@ustr.eop.gov](mailto:Maria_Pagan@ustr.eop.gov)>; Davidson, Peter (Federal) <(b) (6) [doc.gov](mailto:doc.gov)>; Joseloff, Benjamin G. EOP/NSC <(b) (6) [nsc.eop.gov](mailto:nsc.eop.gov)>; Willems, Clete R. EOP/NSC <(b) (6) [nsc.eop.gov](mailto:nsc.eop.gov)>  
**Cc:** Staff Secretary <(b) (6) [who.eop.gov](mailto:who.eop.gov)>  
**Subject:** RE: Clean Sec. 232 Proclamation 3:00 PM

Sure. We can edit the language (b) (5)

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**From:** Vaughn, Stephen P. EOP/USTR  
**Sent:** Tuesday, March 20, 2018 7:50 PM  
**To:** Davis, May M. EOP/WHO <(b) (6) [who.eop.gov](mailto:who.eop.gov)>; SMITH, BRENDA BROCKMAN <(b) (6) [bp.dhs.gov](mailto:bp.dhs.gov)>; Comstock, Earl (Federal) <(b) (6) [doc.gov](mailto:doc.gov)>; MCALEENAN, KEVIN K <(b) (6) [bp.dhs.gov](mailto:bp.dhs.gov)>; Greer, Jamieson L. EOP/USTR <[Jamieson.L.Greer@ustr.eop.gov](mailto:Jamieson.L.Greer@ustr.eop.gov)>; Pagan, Maria L. EOP/USTR <[Maria\\_Pagan@ustr.eop.gov](mailto:Maria_Pagan@ustr.eop.gov)>; Davidson, Peter (Federal) <(b) (6) [doc.gov](mailto:doc.gov)>; Joseloff, Benjamin G. EOP/NSC <(b) (6) [nsc.eop.gov](mailto:nsc.eop.gov)>; Willems, Clete R. EOP/NSC <(b) (6) [nsc.eop.gov](mailto:nsc.eop.gov)>  
**Cc:** Staff Secretary <(b) (6) [who.eop.gov](mailto:who.eop.gov)>  
**Subject:** RE: Clean Sec. 232 Proclamation 3:00 PM

(b) (5)

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**From:** Davis, May M. EOP/WHO  
**Sent:** Tuesday, March 20, 2018 7:43 PM  
**To:** SMITH, BRENDA BROCKMAN <(b) (6) [bp.dhs.gov](mailto:bp.dhs.gov)>; Comstock, Earl (Federal) <(b) (6) [doc.gov](mailto:doc.gov)>; MCALEENAN, KEVIN K <(b) (6) [bp.dhs.gov](mailto:bp.dhs.gov)>; Vaughn, Stephen P. EOP/USTR <[Stephen.P.Vaughn@ustr.eop.gov](mailto:Stephen.P.Vaughn@ustr.eop.gov)>; Greer, Jamieson L. EOP/USTR <[Jamieson.L.Greer@ustr.eop.gov](mailto:Jamieson.L.Greer@ustr.eop.gov)>; Pagan, Maria L. EOP/USTR <[Maria\\_Pagan@ustr.eop.gov](mailto:Maria_Pagan@ustr.eop.gov)>; Davidson, Peter (Federal) <(b) (6) [doc.gov](mailto:doc.gov)>; Joseloff, Benjamin G. EOP/NSC <(b) (6) [nsc.eop.gov](mailto:nsc.eop.gov)>; Willems, Clete R. EOP/NSC <(b) (6) [nsc.eop.gov](mailto:nsc.eop.gov)>  
**Cc:** Staff Secretary <(b) (6) [who.eop.gov](mailto:who.eop.gov)>  
**Subject:** RE: Clean Sec. 232 Proclamation 3:00 PM



Here is the latest, (b) (5)

[REDACTED]

[REDACTED]

May

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**From:** Davis, May M. EOP/WHO  
**Sent:** Tuesday, March 20, 2018 4:25 PM  
**To:** SMITH, BRENDA BROCKMAN <(b) (6) [:bp.dhs.gov](#)>; Comstock, Earl (Federal) <(b) (6) [doc.gov](#)>; MCALEENAN, KEVIN K <(b) (6) [:bp.dhs.gov](#)>; Vaughn, Stephen P. EOP/USTR <[Stephen.P.Vaughn@ustr.eop.gov](mailto:Stephen.P.Vaughn@ustr.eop.gov)>; Greer, Jamieson L. EOP/USTR <[Jamieson.L.Greer@ustr.eop.gov](mailto:Jamieson.L.Greer@ustr.eop.gov)>; Pagan, Maria L. EOP/USTR <[Maria\\_Pagan@ustr.eop.gov](mailto:Maria_Pagan@ustr.eop.gov)>; Davidson, Peter (Federal) <(b) (6) [doc.gov](#)>; Joseloff, Benjamin G. EOP/NSC <(b) (6) [nsc.eop.gov](#)>; Willems, Clete R. EOP/NSC <(b) (6) [nsc.eop.gov](#)>  
**Cc:** Staff Secretary <(b) (6) [who.eop.gov](#)>  
**Subject:** RE: Clean Sec. 232 Proclamation 3:00 PM

All --

(b) (5)

[REDACTED]

[REDACTED]

May

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**From:** Davis, May M. EOP/WHO  
**Sent:** Tuesday, March 20, 2018 4:12 PM  
**To:** SMITH, BRENDA BROCKMAN <(b) (6) [:bp.dhs.gov](#)>; Comstock, Earl (Federal) <(b) (6) [doc.gov](#)>; MCALEENAN, KEVIN K <(b) (6) [:bp.dhs.gov](#)>; Vaughn, Stephen P. EOP/USTR <[Stephen.P.Vaughn@ustr.eop.gov](mailto:Stephen.P.Vaughn@ustr.eop.gov)>; Greer, Jamieson L. EOP/USTR <[Jamieson.L.Greer@ustr.eop.gov](mailto:Jamieson.L.Greer@ustr.eop.gov)>; Pagan, Maria L. EOP/USTR <[Maria\\_Pagan@ustr.eop.gov](mailto:Maria_Pagan@ustr.eop.gov)>; Davidson, Peter (Federal) <(b) (6) [doc.gov](#)>; Joseloff, Benjamin G. EOP/NSC <(b) (6) [nsc.eop.gov](#)>; Willems, Clete R. EOP/NSC <(b) (6) [nsc.eop.gov](#)>  
**Cc:** Staff Secretary <(b) (6) [who.eop.gov](#)>  
**Subject:** RE: Clean Sec. 232 Proclamation 3:00 PM

(b) (5)

[REDACTED]

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**From:** Davis, May M. EOP/WHO  
**Sent:** Tuesday, March 20, 2018 3:58 PM  
**To:** SMITH, BRENDA BROCKMAN <(b) (6) [:bp.dhs.gov](#)>; Comstock, Earl (Federal) <(b) (6) [doc.gov](#)>; MCALEENAN, KEVIN K <(b) (6) [:bp.dhs.gov](#)>; Vaughn, Stephen P. EOP/USTR <[Stephen.P.Vaughn@ustr.eop.gov](mailto:Stephen.P.Vaughn@ustr.eop.gov)>; Greer, Jamieson L. EOP/USTR <[Jamieson.L.Greer@ustr.eop.gov](mailto:Jamieson.L.Greer@ustr.eop.gov)>; Pagan, Maria L. EOP/USTR <[Maria\\_Pagan@ustr.eop.gov](mailto:Maria_Pagan@ustr.eop.gov)>; Davidson, Peter (Federal) <(b) (6) [doc.gov](#)>; Joseloff, Benjamin G. EOP/NSC <(b) (6) [nsc.eop.gov](#)>; Willems, Clete R. EOP/NSC <(b) (6) [nsc.eop.gov](#)>

**Cc:** Staff Secretary <(b) (6) who.eop.gov>

**Subject:** RE: Clean Sec. 232 Proclamation 3:00 PM

(b) (5)

May

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**From:** Davis, May M. EOP/WHO

**Sent:** Tuesday, March 20, 2018 3:50 PM

**To:** SMITH, BRENDA BROCKMAN <(b) (6) bp.dhs.gov>; Comstock, Earl (Federal) <(b) (6) doc.gov>; MCALEENAN, KEVIN K <(b) (6) bp.dhs.gov>; Vaughn, Stephen P. EOP/USTR <Stephen.P.Vaughn@ustr.eop.gov>; Greer, Jamieson L. EOP/USTR <Jamieson.L.Greer@ustr.eop.gov>; Pagan, Maria L. EOP/USTR <Maria\_Pagan@ustr.eop.gov>; Davidson, Peter (Federal) <(b) (6) doc.gov>; Joseloff, Benjamin G. EOP/NSC <(b) (6) nsc.eop.gov>; Willems, Clete R. EOP/NSC <(b) (6) nsc.eop.gov>

**Cc:** Staff Secretary <(b) (6) who.eop.gov>

**Subject:** RE: Clean Sec. 232 Proclamation 3:00 PM

(b) (5)

---

**From:** SMITH, BRENDA BROCKMAN [mailto:(b) (6) bp.dhs.gov]

**Sent:** Tuesday, March 20, 2018 3:40 PM

**To:** Comstock, Earl (Federal) <(b) (6) doc.gov>; Davis, May M. EOP/WHO <(b) (6) who.eop.gov>; MCALEENAN, KEVIN K <(b) (6) bp.dhs.gov>; Vaughn, Stephen P. EOP/USTR <Stephen.P.Vaughn@ustr.eop.gov>; Greer, Jamieson L. EOP/USTR <Jamieson.L.Greer@ustr.eop.gov>; Pagan, Maria L. EOP/USTR <Maria\_Pagan@ustr.eop.gov>; Davidson, Peter (Federal) <(b) (6) doc.gov>; Joseloff, Benjamin G. EOP/NSC <(b) (6) nsc.eop.gov>; Willems, Clete R. EOP/NSC <(b) (6) nsc.eop.gov>

**Cc:** Staff Secretary <(b) (6) who.eop.gov>

**Subject:** RE: Clean Sec. 232 Proclamation 3:00 PM

Earl- that works, (b) (5)

Brenda

---

**From:** Comstock, Earl (Federal)

**Sent:** Tuesday, March 20, 2018 7:33:39 PM

**To:** SMITH, BRENDA BROCKMAN; Davis, May M. EOP/WHO; MCALEENAN, KEVIN K; Vaughn, Stephen P. EOP/USTR; Greer, Jamieson L. EOP/USTR; Pagan, Maria L. EOP/USTR; Davidson, Peter (Federal); Joseloff, Benjamin G. EOP/NSC; Willems, Clete R. EOP/NSC

**Cc:** Staff Secretary

**Subject:** Re: Clean Sec. 232 Proclamation 3:00 PM

Thanks Brenda. I recommend (b) (5)

(b) (5)

Earl

**From:** Brenda Smith <(b) (6) [cbp.dhs.gov](mailto:cbp.dhs.gov)>

**Date:** Tuesday, March 20, 2018 at 3:17 PM

**To:** May Davis <(b) (6) [who.eop.gov](mailto:who.eop.gov)>, "MCALEENAN, KEVIN K" <(b) (6) [cbp.dhs.gov](mailto:cbp.dhs.gov)>, "Comstock, Earl (Federal)" <(b) (6) [doc.gov](mailto:doc.gov)>, Stephen EOP/USTR Vaughn <[Stephen.P.Vaughn@ustr.eop.gov](mailto:Stephen.P.Vaughn@ustr.eop.gov)>, "Greer, Jamieson L. EOP/USTR" <[Jamieson.L.Greer@ustr.eop.gov](mailto:Jamieson.L.Greer@ustr.eop.gov)>, "Pagan, Maria L. EOP/USTR" <[Maria\\_Pagan@ustr.eop.gov](mailto:Maria_Pagan@ustr.eop.gov)>, "Davidson, Peter (Federal)" <(b) (6) [doc.gov](mailto:doc.gov)>, "Joseloff, Benjamin G. EOP/NSC" <(b) (6) [nsc.eop.gov](mailto:nsc.eop.gov)>, "Willems, Clete R. EOP/NSC" <(b) (6) [nsc.eop.gov](mailto:nsc.eop.gov)>

**Cc:** WH Staff Secretary <(b) (6) [who.eop.gov](mailto:who.eop.gov)>

**Subject:** RE: Clean Sec. 232 Proclamation 3:00 PM

May – here are DHS/CBP comments:

(b) (5)

---

**From:** Davis, May M. EOP/WHO [[mailto:\(b\) \(6\)@who.eop.gov](mailto:(b) (6)@who.eop.gov)]  
**Sent:** Tuesday, March 20, 2018 3:10 PM  
**To:** SMITH, BRENDA BROCKMAN <(b) (6)@bp.dhs.gov>; MCALEENAN, KEVIN K <(b) (6)@bp.dhs.gov>; Comstock, Earl (Federal) <(b) (6)@doc.gov>; Vaughn, Stephen P. EOP/USTR <[Stephen.P.Vaughn@ustr.eop.gov](mailto:Stephen.P.Vaughn@ustr.eop.gov)>; Greer, Jamieson L. EOP/USTR <[Jamieson.L.Greer@ustr.eop.gov](mailto:Jamieson.L.Greer@ustr.eop.gov)>; Pagan, Maria L. EOP/USTR <[Maria\\_Pagan@ustr.eop.gov](mailto:Maria_Pagan@ustr.eop.gov)>; Davidson, Peter (Federal) <(b) (6)@doc.gov>; Joseloff, Benjamin G. EOP/NSC <(b) (6)@nsc.eop.gov>; Willems, Clete R. EOP/NSC <(b) (6)@nsc.eop.gov>  
**Cc:** Staff Secretary <(b) (6)@who.eop.gov>  
**Subject:** Clean Sec. 232 Proclamation 3:00 PM

All –

Here is the latest proclamation. (b) (5)

[REDACTED]

[REDACTED]

[REDACTED]

May

May Davis  
Special Assistant to the President  
Associate Staff Secretary  
Office: (b) (6)  
Cell: (b) (6)  
(b) (6) [who.eop.gov](mailto:(b) (6)@who.eop.gov)



## Read Ahead for Monday's Meeting on Reciprocal Trade Legislation


---

**From:** Policy Coordinator <(b) (6) who.eop.gov>

"Liddell, Christopher P. EOP/WHO" <(b) (6) who.eop.gov>,  
"Lighthizer, Robert E. EOP/USTR" <(b) (6) ustr.eop.gov>, Wilbur Ross  
(b) (6) @doc.gov>, "Kudlow, Larry A. EOP/WHO" <(b) (6) who.eop.gov>,  
**To:** "McGahn, Donald F. EOP/WHO" <(b) (6) who.eop.gov>, "Short, Marc T.  
EOP/WHO" (b) (6) t@who.eop.gov>, "Navarro, Peter K. EOP/WHO"  
<(b) (6) who.eop.gov>

**Cc:** Policy Coordinator <(b) (6) who.eop.gov>, "Davis, May M. EOP/WHO"  
<(b) (6) who.eop.gov>

**Date:** Fri, 06 Apr 2018 15:35:26 -0400

**Attachments**  Meeting Read Ahead.docx (26.59 kB)  
:

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Attached please find the read ahead for Monday's meeting on Reciprocal Trade Legislation, which includes (b) (5) draft pieces of legislation.


As a reminder, the meeting will take place on **Monday at 10:30 AM in the Roosevelt Room.**

See you then.



## RE: FOR REVIEW: Sec. 232 Proclamation

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**From:** "Davis, May M. EOP/WHO" <(b) (6) who.eop.gov>  
"Comstock, Earl (Federal)" <(b) (6) doc.gov>, "Rollo, Andrew J. EOP/NSC"  
<(b) (6) nsc.eop.gov>, "Pagan, Maria L. EOP/USTR"  
<maria\_pagan@ustr.eop.gov>, "Dickey, Jennifer B. EOP/WHO"  
<(b) (6) who.eop.gov>, "SKINNER, TRAVIS J."  
<(b) (6) cbp.dhs.gov>, "Willems, Clete R. EOP/NSC"  
**To:** <(b) (6) nsc.eop.gov>, "Joseloff, Benjamin G. EOP/NSC"  
<(b) (6) nsc.eop.gov>, "Liddell, Christopher P. EOP/WHO"  
<(b) (6) who.eop.gov>, "Davidson, Peter (Federal)"  
<(b) (6) doc.gov>, "SMITH, BRENDA BROCKMAN"  
<(b) (6) cbp.dhs.gov>, "Motwane, Jai Y. EOP/USTR"  
<jai\_motwane@ustr.eop.gov>, "Gerrish, Jeffrey D. EOP/USTR"  
<jeffrey.d.gerrish@ustr.eop.gov>  
**Cc:** Staff Secretary <(b) (6) who.eop.gov>   
**Date:** Fri, 27 Apr 2018 17:51:39 -0400  
**Attachments** Annex 27 April 2018 version with USTR CBP edits USITC cleanup2.docx (62.07 kB);  
: May 1 Proclamation 4.27 Staff Sec.DOCX (48.58 kB)

Here it is. Please see the question on (b) (5)

[REDACTED]

[REDACTED]

May

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**From:** Comstock, Earl (Federal) <(b) (6) doc.gov>  
**Sent:** Friday, April 27, 2018 5:45 PM  
**To:** Davis, May M. EOP/WHO <(b) (6) who.eop.gov>; Rollo, Andrew J. EOP/NSC  
<(b) (6) nsc.eop.gov>; Pagan, Maria L. EOP/USTR <Maria\_Pagan@ustr.eop.gov>; Dickey,  
Jennifer B. EOP/WHO <(b) (6) who.eop.gov>; SKINNER, TRAVIS J.  
<(b) (6) bp.dhs.gov>; Willems, Clete R. EOP/NSC <(b) (6) nsc.eop.gov>;  
Joseloff, Benjamin G. EOP/NSC <(b) (6) nsc.eop.gov>; Liddell, Christopher P. EOP/WHO  
<(b) (6) who.eop.gov>; Davidson, Peter (Federal) <(b) (6) doc.gov>; SMITH,  
BRENDA BROCKMAN <(b) (6) cbp.dhs.gov>; Motwane, Jai Y. EOP/USTR  
<Jai\_Motwane@ustr.eop.gov>; Gerrish, Jeffrey D. EOP/USTR <Jeffrey.D.Gerrish@ustr.eop.gov>  
**Cc:** Staff Secretary <(b) (6) who.eop.gov>  
**Subject:** Re: FOR REVIEW: Sec. 232 Proclamation



## RE: FOR REVIEW: Sec. 232 Proclamation

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**From:** "Davis, May M. EOP/WHO" <(b) (6) who.eop.gov>

"Pagan, Maria L. EOP/USTR" <maria\_pagan@ustr.eop.gov>, "Comstock, Earl (Federal)" <(b) (6) doc.gov>, "Rollo, Andrew J. EOP/NSC" <(b) (6) nsc.eop.gov>, "Dickey, Jennifer B. EOP/WHO" <(b) (6) who.eop.gov>, "SKINNER, TRAVIS J." <(b) (6) cbp.dhs.gov>, "Willems, Clete R. EOP/NSC" <(b) (6) nsc.eop.gov>, "Joseloff, Benjamin G. EOP/NSC" <(b) (6) nsc.eop.gov>, "Liddell, Christopher P. EOP/WHO" <(b) (6) who.eop.gov>, "Davidson, Peter (Federal)" <(b) (6) doc.gov>, "SMITH, BRENDA BROCKMAN" <(b) (6) cbp.dhs.gov>, "Motwane, Jai Y. EOP/USTR" <jai\_motwane@ustr.eop.gov>, "Gerrish, Jeffrey D. EOP/USTR" <jeffrey.d.gerrish@ustr.eop.gov>

**To:**

**Cc:** Staff Secretary <(b) (6) who.eop.gov>

**Date:** Fri, 27 Apr 2018 16:55:44 -0400



**Attachments** May 1 Proclamation 4.26 post (b) (5) DOC nEC.DOCX (49.19 kB); 2018 Adjusting IMPORTS OF ALUMINUM INTO THE UNITED STATES 0425.docx (24.49 kB); Annex 27 April 2018 version with USTR CBP edits USITC cleanup2.docx (62.07 kB)

Thanks. I will work these comments into the attached. We will then need to incorporate this into aluminum (most recent is attached).

(b) (5)



## FOR REVIEW: Section 232 FAQs and Talking Points

---

**From:** Staff Secretary <(b) (6)@who.eop.gov>

"Liddell, Christopher P. EOP/WHO" <(b) (6)@who.eop.gov>, "Kudlow, Larry A. EOP/WHO" <(b) (6)@who.eop.gov>, "Lighthizer, Robert E. EOP/USTR" <(b) (6)@ustr.eop.gov>, (b) (6)@treasury.gov, "Kelly, John F. EOP/WHO" <(b) (6)@who.eop.gov>, "Sanders, Sarah H. EOP/WHO" <(b) (6)@who.eop.gov>, "Schlapp, Mercedes V. EOP/WHO" <(b) (6)@who.eop.gov>, "Short, Marc T. EOP/WHO" <(b) (6)@who.eop.gov>, "Hoelscher, Douglas L. EOP/WHO" <(b) (6)@who.eop.gov>, "Navarro, Peter K. EOP/WHO" <(b) (6)@who.eop.gov>, "Clark, Justin R. EOP/WHO" <(b) (6)@who.eop.gov>, "Vaughn, Stephen P. EOP/USTR" <stephen.p.vaughn@ustr.eop.gov>, "Morrell, David M. EOP/WHO" <(b) (6)@who.eop.gov>, "Dickey, Jennifer B. EOP/WHO" <(b) (6)@who.eop.gov>, "Kushner, Jared C. EOP/WHO" <(b) (6)@who.eop.gov>, "Vaughn, Stephen P. EOP/USTR" <stephen.p.vaughn@ustr.eop.gov>, "Greer, Jamieson L. EOP/USTR" <jamieson.l.greer@ustr.eop.gov>, (b) (6)@treasury.gov, "Eissenstat, Everett H. EOP/WHO" <(b) (5)@who.eop.gov>, "Ditto, Jessica E. EOP/WHO" <(b) (6)@who.eop.gov>, "Willems, Clete R. EOP/NSC" <(b) (6)@nsc.eop.gov>, "MCALEENAN, KEVIN K" <(b) (6)@cbp.dhs.gov>, "Bremberg, Andrew P. EOP/WHO" <(b) (6)@who.eop.gov>, "Hassett, Kevin A. EOP/CEA" <(b) (6)@cea.eop.gov>, "Comstock, Earl (Federal)" <(b) (6)@doc.gov>, "Rockas, James (Federal)" <(b) (6)@doc.gov>, "Miller, Stephen EOP/WHO" <(b) (6)@who.eop.gov>, "SKINNER, TRAVIS J." <(b) (6)@cbp.dhs.gov>, "Krause, Scott" <(b) (6)@hq.dhs.gov>, "Fuentes, Zach D. EOP/WHO" <(b) (6)@who.eop.gov>, (b) (6)@who.eop.gov, "Conway, Kellyanne E. EOP/WHO" <(b) (6)@who.eop.gov>, "Bolton, John R. EOP/WHO" <(b) (6)@who.eop.gov>, (b) (6)@treasury.gov, "Kenna, Lisa EOP" <(b) (6)@state.gov>, "Mohler, Hallock CAPT SD" <(b) (5)@sd.mil>

**To:**

**Cc:** "Shah, Raj S. EOP/WHO" <(b) (6)@who.eop.gov>, "Walters, Lindsay E. EOP/WHO" <(b) (6)@who.eop.gov>, "Gidley, Hogan H. EOP/WHO"

(b) (6) @who.eop.gov>, "Strom, Natalie M. EOP/WHO"  
(b) (6) @who.eop.gov>, DL WHO LEG AFFAIRS Staff Sec  
(b) (6) @whmo.mil>, "Stokes, Caroline M. EOP/WHO"  
(b) (6) @who.eop.gov>, "Nordquist, DJ D. EOP/CEA"  
(b) (6) @cea.eop.gov>, "Salvi, Mary E. EOP/WHO"  
(b) (6) @who.eop.gov>, "Gabriel, Robert EOP/WHO"  
(b) (6) @who.eop.gov>, "Hudson, Renee R. EOP/WHO"  
(b) (6) @who.eop.gov>, "Radford, Julie T. EOP/WHO"  
(b) (6) @who.eop.gov>, "Berkowitz, Avrahm J. EOP/WHO"  
(b) (6) @who.eop.gov>, "Dumbauld, Cassidy M. EOP/WHO"  
(b) (6) @who.eop.gov>, "Gray, Alexander B. EOP/WHO"  
<(b) (6) who.eop.gov>, "Cole, Catherine A. EOP/WHO"  
(b) (6) @who.eop.gov>, "Rollo, Andrew J. EOP/NSC"  
<(b) (6) nsc.eop.gov>, DL NSC PaperDeputies  
(b) (6) @whmo.mil>, Staff Secretary <(b) (6) who.eop.gov>

**Date:** Fri, 04 May 2018 18:29:41 -0400



**Attachments** China 232 Actions - Need to Know V.3.docx (16.57 kB); S232 Increase Comms  
: Package V2 for StaffSec (002).docx (17.86 kB)

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All:

Good evening. Attached please find draft Sec. 232 FAQs and Talking Points.

(b) (5) [REDACTED]  
[REDACTED]  
[REDACTED]


Thank you,  
Staff Secretary

# Reciprocal Trade Legislation

---

**From:** "Davis, May M. EOP/WHO" <(b) (6) who.eop.gov>  
"Greenwood, Daniel Q. EOP/WHO" (b) (6) @who.eop.gov>, "Willems, Clete R. EOP/NSC" <(b) (6) nsc.eop.gov>, "Meyer, Joyce Y. EOP/WHO" (b) (6) @who.eop.gov>, "Swonger, Amy H. EOP/WHO" (b) (6) @who.eop.gov>, "Ditto, Jessica E. EOP/WHO" (b) (6) @who.eop.gov>, "Eissenstat, Everett H. EOP/WHO" <(b) (5) who.eop.gov>, "Morrell, David M. EOP/WHO" <(b) (6) who.eop.gov>, "Vaughn, Stephen P. EOP/USTR" <stephen.p.vaughn@ustr.eop.gov>, "Greer, Jamieson L. EOP/USTR" <jamieson.l.greer@ustr.eop.gov>, "Mahoney, C.J. J. EOP/USTR" <curtis.j.mahoney@ustr.eop.gov>

**To:**

**Date:** Wed, 16 May 2018 14:34:14 -0400 

**Attachments** US Fair Reciprocal Tariff Act.docx (25.13 kB); NTBs Memo for NSC 051218.pdf  
: (137.53 kB)

---

OLA, NEC, USTR, WHCO, and Comms –

(b) (5)



Thank you,

May

May Davis

---

Office of the Deputy Chief of Staff

Office: (b) (6)

Cell: (b) (6)

(b) (6) who.eop.gov

## RE: China Statement 5.27 - Post Call 5

---

**From:** "Lyons, Derek S. EOP/WHO" <(b) (6) who.eop.gov>  
**To:** "Lighthizer, Robert E. EOP/USTR" <(b) (6) ustr.eop.gov>  
**Cc:** "Vaughn, Stephen P. EOP/USTR" <stephen.p.vaughn@ustr.eop.gov>  
**Date:** Mon, 28 May 2018 21:17:45 -0400  
**Attachments:** China Statement 5.27 - Post Call 6.docx (18.64 kB)

Here's the latest. The sentence in question now reads:

(b) (5)  
[REDACTED]

---

**From:** Lyons, Derek S. EOP/WHO  
**Sent:** Monday, May 28, 2018 8:56 PM  
**To:** Lighthizer, Robert E. EOP/USTR <(b) (6) ustr.eop.gov>  
**Cc:** Vaughn, Stephen P. EOP/USTR <Stephen.P.Vaughn@ustr.eop.gov>  
**Subject:** China Statement 5.27 - Post Call 5

Ambassador – The latest is attached. I've also included a compare to the last version. Let me know when we're ready to socialize with the rest of the team.





## **Statement on Steps to Protect Domestic Technology and Intellectual Property from China's Discriminatory and Burdensome Trade Practices**

(b) (5)

A large black rectangular redaction box covers the majority of the page content, starting below the title and ending above the footer. The text "(b) (5)" is written in red at the top left corner of this redacted area.



## RE: Draft WH statement regarding trade negotiations

---

**From:** "Lyons, Derek S. EOP/WHO" <(b) (6) who.eop.gov>  
**To:** "Greer, Jamieson L. EOP/USTR" <jamieson.l.greer@ustr.eop.gov>  
**Date:** Tue, 29 May 2018 07:15:33 -0400

We just got off. (b) (5)

---

**From:** Greer, Jamieson L. EOP/USTR  
**Sent:** Tuesday, May 29, 2018 7:06 AM  
**To:** Lyons, Derek S. EOP/WHO <(b) (6) who.eop.gov>  
**Subject:** Re: Draft WH statement regarding trade negotiations

Did he call you on this?

Sent from my iPhone

On May 28, 2018, at 11:48 PM, Lyons, Derek S. EOP/WHO <(b) (6) who.eop.gov> wrote:

Ambassador –

I'm consolidating comments here. Would greatly appreciate your input as early as possible tomorrow:

(b) (5)



(b) (5)



Please let me know how you would like to handle these issues.

## Statement on China Trade Negotiations

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**From:** "Lyons, Derek S. EOP/WHO" <(b) (6) who.eop.gov>  
(b) (6) treasury.gov, "Kudlow, Larry A. EOP/WHO"  
<(b) (6) who.eop.gov>, "Navarro, Peter K. EOP/WHO"  
<(b) (6) who.eop.gov>, Wilbur Ross (b) (6) @doc.gov, "Lighthizer, Robert E.  
**To:** EOP/USTR" <(b) (6) ustr.eop.gov>, "McGahn, Donald F. EOP/WHO"  
<(b) (6) who.eop.gov>, "Liddell, Christopher P. EOP/WHO"  
<(b) (6) who.eop.gov>  
  
"Morrell, David M. EOP/WHO" <(b) (6) who.eop.gov>,  
(b) (6) treasury.gov, "Eissenstat, Everett H. EOP/WHO"  
<(b) (5) who.eop.gov>, "Willems, Clete R. EOP/NSC"  
**Cc:** <(b) (6) nsc.eop.gov>, (b) (6) doc.gov, "Vaughn, Stephen P.  
EOP/USTR" <stephen.p.vaughn@ustr.eop.gov>, "Greer, Jamieson L. EOP/USTR"  
<jamieson.l.greer@ustr.eop.gov>, "Davis, May M. EOP/WHO"  
<(b) (6) who.eop.gov>

**Date:** Wed, 06 Jun 2018 11:21:39 -0400

**Attachments**   
: POTUS Statement Re China.docx (11.84 kB)

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All –

The President is considering releasing a version of the attached statement. Please take a look and flag any edits/concerns to me as soon as possible, but in any event by 2pm.

(b) (5) [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]

Thanks,  
Derek

## RE: FOR REVIEW: TPs (b) (5)

**From:** "Cobaugh, CC M. EOP/USTR" <christina.m.cobaugh@ustr.eop.gov>  
**To:** Staff Secretary <(b) (6)@who.eop.gov>  
**Cc:** "Vaughn, Stephen P. EOP/USTR" <stephen.p.vaughn@ustr.eop.gov>, "Greer, Jamieson L. EOP/USTR" <jamieson.l.greer@ustr.eop.gov>  
**Date:** Thu, 26 Jul 2018 20:42:53 -0400  
**Attachments**  
: 2018-07-24 -- (b) (5) -- USTR cc.docx (29.33 kB)

Attached is USTR's working version. This has been sent home with Ambassador Lightener and we are expecting final signoff in the morning. Thanks!

---

**From:** Staff Secretary  
**Sent:** Thursday, July 26, 2018 3:17 PM  
**To:** Sanders, Sarah H. EOP/WHO <(b) (6)@who.eop.gov>; Kudlow, Larry A. EOP/WHO <(b) (6)@who.eop.gov>; Bremberg, Andrew P. EOP/WHO <(b) (6)@who.eop.gov>; Shine, Bill J. EOP/WHO <(b) (6)@who.eop.gov>; Hassett, Kevin A. EOP/CEA <(b) (6)@cea.eop.gov>; Knight, Shahira E. EOP/WHO <(b) (6)@who.eop.gov>; Conway, Kellyanne E. EOP/WHO <(b) (6)@who.eop.gov>; Nordquist, DJ D. EOP/CEA <Jennifer.D.Nordquist@cea.eop.gov>; Fleitz, Frederick H. EOP/NSC <(b) (6)@nsc.eop.gov>; Miller, Stephen EOP/WHO <(b) (6)@who.eop.gov>; Eisenberg, John A. EOP/NSC <(b) (6)@who.eop.gov>; Schlapp, Mercedes V. EOP/WHO <(b) (6)@who.eop.gov>; Donaldson, Annie M. EOP/WHO <(b) (6)@who.eop.gov>; DL NSC PaperDeputies <(b) (6)@whmo.mil>; Miller, Julie L. EOP/OMB <(b) (6)@omb.eop.gov>; Willems, Clete R. EOP/NSC <(b) (6)@nsc.eop.gov>; Greer, Jamieson L. EOP/USTR <Jamieson.L.Greer@ustr.eop.gov>; Davis, May M. EOP/WHO <(b) (6)@who.eop.gov>; Navarro, Peter K. EOP/WHO <(b) (6)@who.eop.gov>  
**Subject:** RE: FOR REVIEW: TPs (b) (5)

Friendly reminder of the below deadline.

Thank you NEC, NSC, and D/COS for providing edits/clearance early.

---

**From:** Staff Secretary  
**Sent:** Wednesday, July 25, 2018 9:20 PM  
**To:** Liddell, Christopher P. EOP/WHO <(b) (6)@who.eop.gov>; Sanders, Sarah H.

EOP/WHO <(b) (6) who.eop.gov>; Kudlow, Larry A. EOP/WHO  
<(b) (6) who.eop.gov>; Bremberg, Andrew P. EOP/WHO  
<(b) (6) who.eop.gov>; Kushner, Jared C. EOP/WHO <(b) (6) who.eop.gov>; Shine, Bill J.  
EOP/WHO (b) (6) @who.eop.gov>; Hassett, Kevin A. EOP/CEA  
<(b) (6) cea.eop.gov>; Knight, Shahira E. EOP/WHO <(b) (6) @who.eop.gov>;  
Conway, Kellyanne E. EOP/WHO (b) (6) @who.eop.gov>; Nordquist, DJ D. EOP/CEA  
(b) (6) @cea.eop.gov>; Fleitz, Frederick H. EOP/NSC (b) (6) @nsc.eop.gov>;  
Miller, Stephen EOP/WHO <(b) (6) who.eop.gov>; Eisenberg, John A. EOP/NSC  
(b) (6) @who.eop.gov>; Schlapp, Mercedes V. EOP/WHO  
<(b) (6) who.eop.gov>; Donaldson, Annie M. EOP/WHO  
(b) (6) @who.eop.gov>; DL NSC PaperDeputies (b) (6) @whmo.mil>; Miller,  
Julie L. EOP/OMB (b) (6) @omb.eop.gov>; Willems, Clete R. EOP/NSC  
<(b) (6) nsc.eop.gov>; Greer, Jamieson L. EOP/USTR <Jamieson.L.Greer@ustr.eop.gov>;  
Davis, May M. EOP/WHO <(b) (6) who.eop.gov>; Navarro, Peter K. EOP/WHO  
<(b) (6) who.eop.gov>  
**Cc:** Staff Secretary <(b) (6) who.eop.gov>  
**Subject:** FOR REVIEW: TPs (b) (5)



Attached is a document that (b) (5)  
as talking points about (b) (5)

(b) (5)  
(b) (5)  
(b) (5)

STAFF SEC



## FW: QUICK REVIEW: Draft Sec. 232 Tariff Proclamation (Turkey)

**From:** Staff Secretary <(b) (6)@who.eop.gov>  
**To:** "Vaughn, Stephen P. EOP/USTR" <stephen.p.vaughn@ustr.eop.gov>, "Greer, Jamieson L. EOP/USTR" <jamieson.l.greer@ustr.eop.gov>  
**Date:** Sat, 04 Aug 2018 20:04:13 -0400

**Attachments** : 2018 Turkey Proclamation 1.1.docx (29.3 kB)



USTR – can you please help ensure ITC sees this as well, should they have any feedback? Thank you.

---

**From:** Staff Secretary  
**Sent:** Saturday, August 4, 2018 8:03 PM  
**To:** Bolton, John R. EOP/WHO <(b) (6)@who.eop.gov>; Liddell, Christopher P. EOP/WHO <(b) (6)@who.eop.gov>; Kudlow, Larry A. EOP/WHO <(b) (6)@who.eop.gov>; Lighthizer, Robert E. EOP/USTR <(b) (6)@ustr.eop.gov>; Sanders, Sarah H. EOP/WHO <(b) (6)@who.eop.gov>; Shine, Bill J. EOP/WHO <(b) (6)@who.eop.gov>; Schlapp, Mercedes V. EOP/WHO <(b) (6)@who.eop.gov>; Knight, Shahira E. EOP/WHO <(b) (6)@who.eop.gov>; Hoelscher, Douglas L. EOP/WHO <(b) (6)@who.eop.gov>; Navarro, Peter K. EOP/WHO <(b) (6)@who.eop.gov>; DeStefano, John J. EOP/WHO <(b) (6)@who.eop.gov>; Clark, Justin R. EOP/WHO <(b) (6)@who.eop.gov>; Morrell, David M. EOP/WHO <(b) (6)@who.eop.gov>; Kushner, Jared C. EOP/WHO <(b) (6)@who.eop.gov>; Vaughn, Stephen P. EOP/USTR <Stephen.P.Vaughn@ustr.eop.gov>; Greer, Jamieson L. EOP/USTR <Jamieson.L.Greer@ustr.eop.gov>; (b) (6)@treasury.gov; Davis, May M. EOP/WHO <(b) (6)@who.eop.gov>; Ditto, Jessica E. EOP/WHO <(b) (6)@who.eop.gov>; Willems, Clete R. EOP/NSC <(b) (6)@nsc.eop.gov>; MCALEENAN, KEVIN K <(b) (6)@bp.dhs.gov>; Bremberg, Andrew P. EOP/WHO <(b) (6)@who.eop.gov>; Hassett, Kevin A. EOP/CEA <(b) (6)@cea.eop.gov>; Comstock, Earl (Federal) <(b) (6)@doc.gov>; 'Teramoto, Wendy (Federal)' <(b) (6)@doc.gov>; Miller, Stephen EOP/WHO <(b) (6)@who.eop.gov>; SKINNER, TRAVIS J. <(b) (6)@bp.dhs.gov>; Bobb, Christina <(b) (6)@hq.dhs.gov>; Fuentes, Zach D. EOP/WHO <(b) (6)@who.eop.gov>; (b) (6)@treasury.gov; Mohler, Hallock CAPT SD <(b) (5)@d.mil>; Donaldson, Annie M. EOP/WHO <(b) (6)@who.eop.gov>; (b) (6)@osec.usda.gov' <(b) (6)@osec.usda.gov>; (b) (6)@state.gov' <(b) (6)@state.gov>  
**Cc:** Staff Secretary <(b) (6)@who.eop.gov>  
**Subject:** QUICK REVIEW: Draft Sec. 232 Tariff Proclamation (Turkey)

All,

Attached for your review and comment please find a draft proclamation and annex regarding tariffs on steel imports from Turkey.

(b) (5)

PM

Thank you,  
Staff Secretary

# Turkey Steel Proclamation

---

**From:** "Lyons, Derek S. EOP/WHO" <(b) (6)@who.eop.gov>  
"Liddell, Christopher P. EOP/WHO" <(b) (6)@who.eop.gov>,  
(b) (6)@treasury.gov, "Lighthizer, Robert E. EOP/USTR"  
<(b) (6)@ustr.eop.gov>, "Navarro, Peter K. EOP/WHO"  
<(b) (6)@who.eop.gov>, (b) (6)@doc.gov, "Sanders, Sarah H. EOP/WHO"  
<(b) (6)@who.eop.gov>, "Bolton, John R. EOP/WHO"  
(b) (6)@who.eop.gov>, "McGahn, Donald F. EOP/WHO"  
<(b) (6)@who.eop.gov>, "Kelly, John F. EOP/WHO"  
<(b) (6)@who.eop.gov>, (b) (6)@state.gov  
  
"Davis, May M. EOP/WHO" <(b) (6)@who.eop.gov>, Staff Secretary  
<(b) (6)@who.eop.gov>, "Ditto, Jessica E. EOP/WHO"  
(b) (6)@who.eop.gov>, "Gidley, Hogan H. EOP/WHO"  
(b) (6)@who.eop.gov>, "Marquis, Garrett C. EOP/NSC"  
(b) (6)@nsc.eop.gov>, "Donaldson, Annie M. EOP/WHO"  
(b) (6)@who.eop.gov>, "Morrell, David M. EOP/WHO"  
**Cc:** <(b) (6)@who.eop.gov>, "Vaughn, Stephen P. EOP/USTR"  
<stephen.p.vaughn@ustr.eop.gov>, "Fuentes, Zach D. EOP/WHO"  
<(b) (6)@who.eop.gov>, (b) (6)@treasury.gov, "Comstock, Earl  
(Federal)" <(b) (6)@doc.gov>, DL NSC NSA FO Staff  
(b) (6)@whmo.mil>, "Buangan, Richard EOP" (b) (6)@state.gov>, Kevin  
Sweeney <(b) (6)@sd.mil>

**Date:** Fri, 10 Aug 2018 10:11:30 -0400



**Attachments** 2018steel8.9.prc.docx (36.93 kB)  
:

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I will be taking the attached proclamation regarding tariffs on Turkish steel imports to POTUS shortly. I

(b) (5)  
[Redacted]

I will provide updates to this group as they occur.

Thanks,  
Derek



EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE  
WASHINGTON DC 20508

August 15, 2019

Austin R. Evers, Executive Director, American Oversight, [foia@americanoversight.org](mailto:foia@americanoversight.org)

Re: Case File FY2019-08 (AO USTR-18-0736)

Dear Mr. Evers:

This letter is the response of the Office of the United States Trade Representative (USTR) Freedom of Information Act (FOIA) Appeals Committee to your FOIA appeal dated June 25, 2019, of USTR's response dated March 26, 2019, to the FOIA request American Oversight submitted on October 3, 2018, for records reflecting communications between certain USTR political appointees and White House officials regarding the imposition of tariffs by the U.S. or other countries. You sought records from January 20, 2017 to the date USTR conducted the search, which was October 25, 2018.

You have appealed USTR's application of FOIA Exemption 5, which protects from disclosure information that is both predecisional and deliberative in nature, the release of which would cause foreseeable harm to the deliberative process. More specifically, you appealed redactions we applied under Exemption 5 to several email communications (pages 2, 3 and 10) to which draft decision memoranda were attached. You also appealed USTR's determination to withhold the draft decision memoranda attached to pages 2, 3 and 10, and draft talking points attached to pages 46 and 54, in full under Exemption 5.

The USTR FOIA Appeals Committee (Committee) has carefully reviewed your appeal and the actions taken by our FOIA Office in responding to your request. After consultations with the Office of White House Counsel, the Committee affirms the FOIA Office's actions in part with respect to information withheld under Exemption 5.

With respect to the email communications to which the draft decision memoranda and draft talking points were attached, the Committee is releasing certain portions of the emails the FOIA Office previously withheld under Exemption 5. The Committee is continuing to withhold deliberative material under the presidential communications privilege about the procedures the White House uses to develop information that is used by the President and/or his close advisors. The Office of White House Counsel has advised that disclosure of this information would cause foreseeable harm to deliberations both inside the White House and with senior officials at Executive branch agencies, including USTR.

With respect to the draft decision memoranda, the Committee affirms the actions taken by the USTR FOIA Office. The Committee is continuing to withhold the drafts (draft steel tariff decision memoranda attached to pages 2 and 3 of our initial response (eight and five pages, respectively); draft steel and aluminum tariff decision memo attached to page 10 of our initial response (ten pages), which remain predecisional and deliberative in nature, under the presidential communications privilege. The final documents, if any, are presidential records. The Office of White House Counsel has advised that disclosure of the draft memoranda would cause foreseeable harm to deliberations both inside the White House and with senior officials at Executive branch agencies, including USTR.

With respect to the talking points attached to pages 46 and 54 of our initial response, due to the passage of time, the Committee no longer foresees that disclosure would harm an interest protected by Exemption 5. Therefore, we are releasing factual information and material that reflects positions that the administration and president have taken publicly, which USTR previously withheld under Exemption 5.

The attached PDF reflects the decisions made by the Committee.

If you are dissatisfied with our adjudication of this appeal, you may contact the Office of Government Information Services (OGIS) at NARA to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park MD 20740-6001, e-mail at [ogis@nara.gov](mailto:ogis@nara.gov); telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769. You may also seek judicial review in the United States District Court for the judicial district in which you are located or have your principal place of business, or in the District of Columbia, as provided in 5 U.S.C. § 552(a)(4)(B).

Sincerely,

A handwritten signature in cursive script, appearing to read "Fred L. Ames", enclosed within a thin rectangular border.

Fred L. Ames  
Freedom of Information Act Appeals Committee



## FW: Steel Tariff DMs

---

**From:** "Navarro, Peter K. EOP/WHO" <(b) (6) who.eop.gov>  
**To:** "Lighthizer, Robert E. EOP/USTR" <(b) (6) ustr.eop.gov>, "Griffin, Payne P. EOP/USTR" <garrison.p.griffin@ustr.eop.gov>, "Vaughn, Stephen P. EOP/USTR" <stephen.p.vaughn@ustr.eop.gov>



**Date:** Sun, 13 Aug 2017 17:34:11 -0400

**Attachments** Steel Tariffs DM (b) (5) Steel Tariffs DM (b) (5)  
: (b) (5) Steel Tariffs DM - (b) (5)

[Did you do final form of this?](#)

---

**From:** Staff Secretary  
**Sent:** Sunday, August 13, 2017 5:23 PM  
**Subject:** Steel Tariff DMs  
**Importance:** High

Good afternoon --

Please find three proposed decision memos attached regarding the President (b) (5)

Please send comments about (b) (5)  
(b) (5) Please send comments  
(b) (5) by (b) (5)


Thank you,

STAFF SEC

(b) (5)

## Decision Memo

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**From:** "Davis, May M. EOP/WHO" <(b) (6) who.eop.gov>  
**To:** "Greer, Jamieson L. EOP/USTR" <jamieson.l.greer@ustr.eop.gov>  
**Date:** Sun, 13 Aug 2017 17:31:18 -0400  
**Attachments:** Steel Decision Memo Aug 13 (b) (5) 

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Jamieson --

Still waiting on a few comments to come in, but wanted to quickly get USTR edits/comments on (b) (5) DM. (b) (5)

Can you let us know your thoughts by (b) (5)

May

May Davis  
Assistant White House Staff Secretary  
Cell: (b) (6)  
Office: (b) (6)  
(b) (6) who.eop.gov

# Steel and Aluminum Decision Memo

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**From:** Staff Secretary <(b) (6) who.eop.gov>

"Eissenstat, Everett H. EOP/WHO" Exemption 6 who.eop.gov>, "Miller, Stephen EOP/WHO" <(b) (6) who.eop.gov>, "Morrell, David M. EOP/WHO" <(b) (6) who.eop.gov>, "Peterlin, Margaret JA" <(b) (6) state.gov>, "Hook, Brian H" <hookbh@state.gov>, "Mohler, Hallock CAPT SD" <hallock.mohler@sd.mil>, "Vaughn, Stephen P. EOP/USTR" <stephen.p.vaughn@ustr.eop.gov>, "Waddell, Ricky L. EOP/WHO" Exemption 6 who.eop.gov>, "Calabria, Mark A. EOP/OVP" Exemption 6 ovp.eop.gov>, "Brown, Clinton S" <browncs@state.gov>, eric.d.chewning.civ@mail.mil

**To:**

**Cc:** Staff Secretary <(b) (6) who.eop.gov>, "Porter, Robert R. EOP/WHO" <(b) (6) who.eop.gov>, "Carroll, James W. EOP/WHO" Exemption 6 who.eop.gov>

**Date:** Sat, 06 Jan 2018 17:32:14 -0500

**Attachments** Summary of Conclusions - January 2.docx (19.32 kB); Transmittal Memo Steel 232 : 12272017 Final.docx (23.81 kB); 2017 Transmittal aluminum 1227.docx (23.89 kB)



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Good afternoon –

Friendly reminder that comments for (b) (5) due (b) (5)

The Commerce transmittal memos are attached for your information.

Thank you,

STAFF SEC

## FOR REVIEW: Section 232 FAQs and Talking Points

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**From:** Staff Secretary <(b) (6)@who.eop.gov>

"Liddell, Christopher P. EOP/WHO" <(b) (6)@who.eop.gov>, "Kudlow, Larry A. EOP/WHO" <(b) (6)@who.eop.gov>, "Lighthizer, Robert E. EOP/USTR" <(b) (6)@ustr.eop.gov>, (b) (6)@treasury.gov, "Kelly, John F. EOP/WHO" <(b) (6)@who.eop.gov>, "Sanders, Sarah H. EOP/WHO" <(b) (6)@who.eop.gov>, "Schlapp, Mercedes V. EOP/WHO" <(b) (6)@who.eop.gov>, "Short, Marc T. EOP/WHO" <(b) (6)@who.eop.gov>, "Hoelscher, Douglas L. EOP/WHO" <(b) (6)@who.eop.gov>, "Navarro, Peter K. EOP/WHO" <(b) (6)@who.eop.gov>, "Clark, Justin R. EOP/WHO" <(b) (6)@who.eop.gov>, "Vaughn, Stephen P. EOP/USTR" <stephen.p.vaughn@ustr.eop.gov>, "Morrell, David M. EOP/WHO" <(b) (6)@who.eop.gov>, "Dickey, Jennifer B. EOP/WHO" <(b) (6)@who.eop.gov>, "Kushner, Jared C. EOP/WHO" <(b) (6)@who.eop.gov>, "Vaughn, Stephen P. EOP/USTR" <stephen.p.vaughn@ustr.eop.gov>, "Greer, Jamieson L. EOP/USTR" <jamieson.l.greer@ustr.eop.gov>, eli.miller@treasury.gov, "Eissenstat, Everett H. EOP/WHO" <(b) (6)@who.eop.gov>, "Ditto, Jessica E. EOP/WHO" <(b) (6)@who.eop.gov>, "Willems, Clete R. EOP/NSC" <(b) (6)@nsc.eop.gov>, "MCALEENAN, KEVIN K" <(b) (6)@cbp.dhs.gov>, "Bremberg, Andrew P. EOP/WHO" <(b) (6)@who.eop.gov>, "Hassett, Kevin A. EOP/CEA" <(b) (6)@cea.eop.gov>, "Comstock, Earl (Federal)" <ecomstock@doc.gov>, "Rockas, James (Federal)" <jrockas@doc.gov>, "Miller, Stephen EOP/WHO" <(b) (6)@who.eop.gov>, "SKINNER, TRAVIS J." <(b) (6)@cbp.dhs.gov>, "Krause, Scott" <scott.krause@hq.dhs.gov>, "Fuentes, Zach D. EOP/WHO" <(b) (6)@who.eop.gov>, (b) (6)@who.eop.gov, "Conway, Kellyanne E. EOP/WHO" <(b) (6)@who.eop.gov>, "Bolton, John R. EOP/WHO" <(b) (6)@who.eop.gov>, (b) (6)@treasury.gov, "Kenna, Lisa EOP" <kennald@state.gov>, "Mohler, Hallock CAPT SD" <hallock.mohler@sd.mil>

**To:**

**Cc:** "Shah, Raj S. EOP/WHO" <(b) (6)@who.eop.gov>, "Walters, Lindsay E. EOP/WHO" <(b) (6)@who.eop.gov>, "Gidley, Hogan H. EOP/WHO"

(b) (6) @who.eop.gov>, "Strom, Natalie M. EOP/WHO"  
(b) (6) @who.eop.gov>, DL WHO LEG AFFAIRS Staff Sec  
Exemption 6 @whmo.mil>, "Stokes, Caroline M. EOP/WHO"  
(b) (6) @who.eop.gov>, "Nordquist, DJ D. EOP/CEA"  
(b) (6) @cea.eop.gov>, "Salvi, Mary E. EOP/WHO"  
(b) (6) @who.eop.gov>, "Gabriel, Robert EOP/WHO"  
(b) (6) @who.eop.gov>, "Hudson, Renee R. EOP/WHO"  
(b) (6) @who.eop.gov>, "Radford, Julie T. EOP/WHO"  
(b) (6) @who.eop.gov>, "Berkowitz, Avrahm J. EOP/WHO"  
(b) (6) @who.eop.gov>, "Dumbauld, Cassidy M. EOP/WHO"  
(b) (6) @who.eop.gov>, "Gray, Alexander B. EOP/WHO"  
<(b) (6) who.eop.gov>, "Cole, Catherine A. EOP/WHO"  
(b) (6) @who.eop.gov>, "Rollo, Andrew J. EOP/NSC"  
<(b) (6) nsc.eop.gov>, DL NSC PaperDeputies  
(b) (6) @whmo.mil>, Staff Secretary <(b) (6) who.eop.gov>

**Date:** Fri, 04 May 2018 18:29:41 -0400



**Attachments** China 232 Actions - Need to Know V.3.docx (16.57 kB); S232 Increase Comms  
: Package V2 for StaffSec (002).docx (17.86 kB)

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All:

Good evening. Attached please find draft Sec. 232 FAQs and Talking Points.

Affirmative clearance requested from (b) (5)

Please send comments by (b) (5)

Thank you,  
Staff Secretary



## **TOPLINE:**

- In January, the Department of Commerce submitted reports to the President which found that excessive imports of steel and aluminum are “weakening our internal economy” and threaten to impair the national security.
- The reports also found that China’s extreme overcapacity and overproduction of steel and aluminum are primary causes of distorted global markets, with the result that China’s excess capacity and production are a circumstance which harms domestic industry and threatens to impair our national security.
- In March, the President concurred with the Secretary’s findings and signed proclamations imposing initial tariffs of 25 percent on steel and 10 percent on aluminum.
- This action to specifically respond to China’s failure to take any corrective action since the original tariff was imposed, will protect U.S. national security by helping to address the impact of global overcapacity and overproduction on the U.S. steel and aluminum industries—which are essential to U.S. national defense and critical infrastructure—so that they can operate at commercially viable levels.
- The President also directed the Secretary to continue to inform him of any circumstance that might indicate the need for further action.
- Since the initial proclamations, more information has emerged. Last year, China produced record amounts of steel and aluminum, and production continues to rise.
- These increases in production constitute new circumstances that indicate a need for further action. China’s continued pattern of harmful behavior makes clear that an additional adjustment to imports of steel and aluminum from China is needed so that such imports will not threaten to impair the national security of the United States.
- As such, the 25 percent tariff on Chinese steel will be increased to 50 percent, and the 10 percent tariff on Chinese aluminum will be increased to 25 percent.
- Steel and aluminum overcapacity and overproduction are global problems that virtually every country acknowledges. Despite that fact, virtually no concrete action has been taken to address the problem.
- This Administration is willing to discuss with any country, including China, satisfactory alternative means to address the threat to U.S. national security.

## **FAQs:**

**Q: Why is the President increasing tariffs on steel and aluminum from China?**

Despite acknowledging the problems created by their overproduction of steel and aluminum, China continues to increase output. Increases in production have occurred since the analysis submitted to the President by the Commerce Department, and new circumstances indicate a need to increase the tariffs on steel and aluminum from China.

**Q: Is this happening because no deal was reached by the delegation that recently traveled to Beijing?**

The Administration has repeatedly stated that we will discuss with any country satisfactory alternative means to address the threat to U.S. national security.

**Q: Is this increase the result of exemptions being granted to various countries last week?**

The two reports by the Commerce Department suggested a potential need to increase the tariffs based on potential exemptions granted to certain nations, but this decision is based on the circumstances specific to China's overproduction and export levels. Department continues to monitor the circumstances of steel and aluminum imports into the United States, and will suggest modifications to the tariffs as appropriate.

**Q: Will there be any retaliation?**

Rather than retaliate, China should cease its market distorting behavior that threatens U.S. national security.

**Q: In the lead-up to expected retaliatory tariffs, it's been reported that Chinese soybean importers have cut orders from American suppliers. What if the Chinese continue to retaliate against American farmers and ranchers?**

Despite these reports, **Exemption 5** [per USDA, please confirm].

The President has instructed Secretary Perdue and the Department of Agriculture to do all it can to defend farmers facing retaliation from China and other nations.

China should have been confronted decades ago, and everyone agrees that their unfair trading practices are unacceptable and harm American workers, farmers, and ranchers. But shockingly, rather than admit their actions are unfair and unacceptable, China is willing to unjustly retaliate and hurt their own by increasing the cost of soybeans, a staple food product, in their own market.

We are fighting for American businesses to have a level playing field on which to compete. We are fighting for a system that is free and fair, while China is committed to a system that is strategic and selfish.

#### **Exemption 5**

**Q: Are the 232 tariffs consistent with U.S. WTO obligations?**

A: WTO rules recognize that every WTO Member may take action it considers necessary to protect its essential security interests. The President took action to protect U.S. national security given massive and persistent global excess capacity for, and resulting excessive imports of, steel and aluminum. Please direct further questions to USTR.

**Q: Are you concerned that the 232 tariffs will undermine the WTO?**

A: The President's action under Section 232 is to protect U.S. national security given massive and persistent global excess capacity for, and resulting excessive imports of, steel and aluminum. This is consistent with our WTO obligations. We are willing to work with any interested partner to find ways to restore market economic conditions for these products. Please direct further questions to USTR.

**Q: Why is the United States taking unilateral action? Do you really think the United States can solve the global excess capacity problem all by itself?**

A: China's and others' market distorting practices hurt firms around the world, and we know other countries have long shared our concerns about excess capacity, subsidies, and dumping. We have worked with other countries on these issues, and we welcome continued international efforts.

**Q: How can U.S. firms get relief if they need a steel or aluminum product that is not available in the United States?**

A: The Department of Commerce has published the procedures for requests for products to be excluded from the tariffs. Please direct further questions to the Department of Commerce.

**Q: Are these tariffs going to harm the U.S. economy?**

A: Global excess capacity and resulting excessive imports in the steel and aluminum industries have already significantly harmed the U.S. economy and jeopardized U.S. national security. That is why action is necessary. To address impacts on industries that rely on imports, Commerce is putting in place a product exclusion process. We are also working with countries to address the underlying problem.



## **WHAT YOU NEED TO KNOW ABOUT INCREASING TARIFFS ON CHINESE STEEL AND ALUMINUM**

**WHAT: President Donald J. Trump will increase Section 232 tariffs on Chinese steel and aluminum.**

Today, the Trump Administration announced that President Trump plans to increase tariffs on steel and aluminum imports from China. These actions, imposed under section 232 of the Trade Expansion Act of 1962, will increase tariffs on imports of Chinese steel to 50 percent and aluminum to 25 percent. In March 2018, the President imposed initial tariffs of 25 percent on steel and 10 percent on aluminum.

**WHY: Supported by unfair and illegal trade practices, imports of steel and aluminum from China have continued to rise, risking our national security by threatening America's steel and aluminum industries.**

In January 2018, the Commerce Department delivered two reports to President Trump on the effects of Chinese steel and aluminum imports. Those reports found that overproduction of steel and aluminum by China is a contributing circumstance that threatens to impair U.S. national security. The Commerce Department recommended that President Trump take action to protect the long-term viability of our nation's steel and aluminum industries.

Since President Trump took action in March to counter China's unfair trade practices, Chinese overproduction has continued and exports of steel and aluminum have risen. In the first two months of 2018, China has increased steel production by an estimated 6 percent and steel exports to the United States have increased compared to the same period last year. For aluminum, China has increased its exports to the United States by over 40 percent during this period. This data makes clear that new trade actions are necessary to address the threatened impairment of the national security posed by imports of steel and aluminum from China.

## RE: FOR REVIEW: TPs Egregious Trade Practices

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**From:** "Cobaugh, CC M. EOP/USTR" <christina.m.cobaugh@ustr.eop.gov>  
**To:** Staff Secretary <(b) (6)@who.eop.gov>  
**Cc:** "Vaughn, Stephen P. EOP/USTR" <stephen.p.vaughn@ustr.eop.gov>, "Greer, Jamieson L. EOP/USTR" <jamieson.l.greer@ustr.eop.gov>  
**Date:** Thu, 26 Jul 2018 20:42:53 -0400

**Attachments** 2018-07-24 -- Egregious Trade Practices -- USTR cc.docx (29.33 kB)  
:

Attached is USTR's working version. This has been sent home with Ambassador Lightener and we are expecting final signoff in the morning. Thanks!

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**From:** Staff Secretary  
**Sent:** Thursday, July 26, 2018 3:17 PM  
**To:** Sanders, Sarah H. EOP/WHO <(b) (6)@who.eop.gov>; Kudlow, Larry A. EOP/WHO <(b) (6)@who.eop.gov>; Bremberg, Andrew P. EOP/WHO <(b) (6)@who.eop.gov>; Shine, Bill J. EOP/WHO <(b) (6)@who.eop.gov>; Hassett, Kevin A. EOP/CEA <(b) (6)@cea.eop.gov>; Knight, Shahira E. EOP/WHO <(b) (6)@who.eop.gov>; Conway, Kellyanne E. EOP/WHO <(b) (6)@who.eop.gov>; Nordquist, DJ D. EOP/CEA <(b) (6)@cea.eop.gov>; Fleitz, Frederick H. EOP/NSC <(b) (6)@nsc.eop.gov>; Miller, Stephen EOP/WHO <(b) (6)@who.eop.gov>; Eisenberg, John A. EOP/NSC <(b) (6)@who.eop.gov>; Schlapp, Mercedes V. EOP/WHO <(b) (6)@who.eop.gov>; Donaldson, Annie M. EOP/WHO <(b) (6)@who.eop.gov>; DL NSC PaperDeputies <(b) (6)@whmo.mil>; Miller, Julie L. EOP/OMB <(b) (6)@omb.eop.gov>; Willems, Clete R. EOP/NSC <(b) (6)@nsc.eop.gov>; Greer, Jamieson L. EOP/USTR <Jamieson.L.Greer@ustr.eop.gov>; Davis, May M. EOP/WHO <(b) (6)@who.eop.gov>; Navarro, Peter K. EOP/WHO <(b) (6)@who.eop.gov>  
**Subject:** RE: FOR REVIEW: TPs Egregious Trade Practices

Friendly reminder of the below deadline.

Thank you (b) (5) for providing edits/clearance early.

---

**From:** Staff Secretary  
**Sent:** Wednesday, July 25, 2018 9:20 PM  
**To:** Liddell, Christopher P. EOP/WHO <(b) (6)@who.eop.gov>; Sanders, Sarah H.



EOP/WHO <(b) (6)>@who.eop.gov>; Kudlow, Larry A. EOP/WHO  
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Conway, Kellyanne E. EOP/WHO <(b) (6)>@who.eop.gov>; Nordquist, DJ D. EOP/CEA  
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Davis, May M. EOP/WHO <(b) (6)>@who.eop.gov>; Navarro, Peter K. EOP/WHO  
<(b) (6)>@who.eop.gov>  
**Cc:** Staff Secretary <(b) (6)>@who.eop.gov>  
**Subject:** FOR REVIEW: TPs Egregious Trade Practices



Attached is a document that (b) (5) [REDACTED]  
[REDACTED] as talking points about the most egregious trade practices the President is actively trying to fight.

Affirmative clearance is requested from (b) (5) [REDACTED]  
[REDACTED] by (b) (5) [REDACTED]  
[REDACTED]

STAFF SEC

## **Egregious Trade Practices**

### China – General

- For years, the United States has repeatedly attempted to work with China in a cooperative and constructive manner, but China has failed to resolve U.S. concerns about its market distorting behavior.
- Throughout this time, American companies have had to face the choice of either a) losing access to the world's largest market; or b) giving up valuable intellectual property and control to their future competitors in order to access this promising market.
- Since 2003, the United States has attempted to remedy China's unfair trade practices. But the consistent high-level engagement failed to achieve fundamental shifts in the direction of Chinese policies and practices.

### China – Section 301

- President Trump determined that decisive action must be taken to protect U.S. innovators and job-creators. Last August, he directed USTR to investigate China's acts, policies, and practices on technology, intellectual property, and innovation.
- Based on a thorough and rigorous investigation, in March, the U.S. Trade Representative advised the President that certain acts, policies, and practices of the Chinese government related to technology transfer, intellectual property, and innovation are unreasonable or discriminatory and burden or restrict U.S. commerce.
  - **Forced Technology Transfer From U.S. Inventors and Companies**
    - China uses foreign ownership restrictions, such as joint venture requirements and foreign equity limitations, and various administrative review and licensing processes to require or pressure technology transfer from U.S. companies to Chinese entities.

## Exemption 5

- **Discriminatory Licensing Restrictions Against U.S. Technologies**
  - China's regime of technology regulations forces U.S. companies seeking to license technologies to Chinese entities to do so on non-market based terms that favor Chinese recipients.
  - *Example:* China State Council's Regulations on Technology Import and Export impose contractual restrictions on the licensing of intellectual property and foreign technology into China, yet the regulations do not apply in the case of a contract between two Chinese enterprises or one involving a Chinese technology exporter.

## Exemption 5

- **Predatory Foreign Acquisition of U.S. Companies and Assets**

- China directs and unfairly facilitates the systematic investment in, and acquisition of, U.S. companies and assets by Chinese companies to generate large-scale technology transfer in industries deemed important by state industrial plans.
- *Example:* Apex Technology Co., a Chinese investment consortium, acquired Lexmark International, a U.S. computer-printer maker, through the financial investment of the Chinese government-backed Integrated Circuit (IC) Fund. Prior to the acquisition, Lexmark had sued Apex, alleging it infringed at least 15 patents. Apex also had been sued by Canon Inc., Seiko Epson Corp., and Hewlett-Packard Co.

- **Hacking of U.S. Commercial Networks**

- China conducts and supports unauthorized intrusions into, and theft from, the computer networks of U.S. companies to access their sensitive commercial information and trade secrets.
- *Example:* In 2014, the United States charged five Chinese military hackers for computer hacking and economic espionage directed at six American victims in the U.S. nuclear power, metals and solar products industries.

- Taken together, these policies harm U.S. businesses, and Exemption 5 competitiveness of the United States.
- We must respond to China's economic aggression by confronting China over its market-distorting forced technology transfers, intellectual property practices, and cyber intrusions of U.S. commercial networks.
- The President directed USTR to impose tariffs on \$50 billion of Chinese goods that benefit from Chinese industrial policies, such as the "Made in China" program.
- The appropriate response from China should be to address U.S. concerns. China instead has chosen to respond by compounding its harmful trade practices, including additional unjustified tariffs on U.S. exports and targeting U.S. farm goods.
- In response to China's further unacceptable actions, President Trump is standing up for Americans by initiating the process for additional tariffs of 10 percent on an additional \$200 billion of Chinese goods.

Section 232 on Steel and Aluminum

- China's massive excess capacity has distorted global markets and harmed steel and aluminum producers in the United States and around the world.

Exemption 5

Exemption 5

- Other countries have long shared our concerns

Exemption 5

Exemption 5

Exemption 5

#### India

- The United States faces high tariffs and non-tariff barriers in India. India's average tariff (13.4 percent) is the second highest among the world's 25 largest economies.
- U.S. tariffs are lower than India's in almost every product category (average of 3.5 percent).
- India also imposes significant non-tariff barriers, including price controls on medical devices; weak protection and enforcement of IP rights; data localization requirements; burdensome import licensing requirements; Exemption 5
- Although India allows private banks to operate in the country, the Indian market is dominated by state owned banks.
- U.S. companies also face a variety of impediments to doing business in India's insurance sector, including caps on foreign ownership, management control requirements, and a mandatory first order of preference for Indian reinsurance businesses.

Exemption 5

Exemption 5

# Exemption 5

